

By Mr. FREE: Joint resolution (H. J. Res. 334) to amend section 2 of the public resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved April 14, 1922; to the Committee on the Merchant Marine and Fisheries.

By Mr. JOHNSON of Washington: Resolution (H. Res. 418) for the consideration of H. R. 11796, a bill to provide for the deportation of certain aliens, and for other purposes; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Nevada, favoring an appropriation being made for the construction of the Spanish Springs extension to the Newlands project; to the Committee on Appropriations.

By Mr. RICHARDS: Memorial of the Legislature of the State of Nevada, petitioning Congress for the passage of the Gooding bill, designated as S. 2327; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Nevada, petitioning Congress to the effect that Congress give its approval to the Spanish Springs appropriation; to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHINDBLOM: A bill (H. R. 11981) for the relief of Thomas A. Moore; to the Committee on Claims.

By Mr. COLE of Ohio: A bill (H. R. 11982) granting an increase of pension to Isabell Cory; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11983) granting an increase of pension to Lovina E. Willoughby; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 11984) granting a pension to Mary Jane Trinkle; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 11985) granting an increase of pension to William Cunagim; to the Committee on Pensions.

By Mr. LINDSAY: A bill (H. R. 11986) for the relief of Abraham Nachmann; to the Committee on Claims.

By Mr. MANLOVE: A bill (H. R. 11987) granting an increase of pension to Elizabeth M. Kerr; to the Committee on Invalid Pensions.

By Mr. MOREHEAD: A bill (H. R. 11988) granting an increase of pension to James A. Galloway; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 11989) granting an increase of pension to Mary C. Parker; to the Committee on Pensions.

By Mr. RAGON: A bill (H. R. 11990) permitting the sale of the northwest quarter of the northeast quarter, section 5, township 6 north, range 15 west, 40 acres, in Conway County, Ark., to Luvenie Reece, Abraham Reece, Correne Reece, Powell Reece, Arlington Reece, Brvee Reece, Mayola Reece, Usieus Reece, Odessa Reece, and Jessie Reece, heirs of M. C. Reece; to the Committee on the Public Lands.

By Mr. RUBEY: A bill (H. R. 11991) for the relief of Morgan L. Atchley; to the Committee on Military Affairs.

By Mr. SHREVE: A bill (H. R. 11992) for the relief of Willard H. Shedd; to the Committee on Military Affairs.

By Mr. SPEAKS: A bill (H. R. 11993) granting a pension to Amelia A. Keith; to the Committee on Pensions.

By Mr. STALKER: A bill (H. R. 11994) granting a pension to Lydia J. Hall; to the Committee on Invalid Pensions.

By Mr. TAYLOR of West Virginia: A bill (H. R. 11995) for the relief of Silas L. Lawson; to the Committee on Military Affairs.

By Mr. WOODRUFF: A bill (H. R. 11996) granting a pension to Supremia Gatehouse; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3569. By Mr. BERGER: Petition of residents of West Allis, Wis., and Milwaukee, Wis., opposing the enactment of Senate bill 3218, providing for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

3570. Also, petition of residents of Milwaukee, Wis., opposing the enactment of Senate bill 3218, compulsory Sunday observance bill; to the Committee on the District of Columbia.

3571. Also, petition of 900 residents of Milwaukee, Wis., opposing the enactment of Senate bill 3218, compulsory Sunday observance bill; to the Committee on the District of Columbia.

3572. Also, memorial of the Federated Trades Council of Milwaukee, Wis., opposing the enactment of Senate bill 3218, compulsory Sunday observance bill; to the Committee on the District of Columbia.

3573. Also, petition of Hugh J. McGrath Camp, No. 4, United Spanish War Veterans, Milwaukee, Wis., urging the enactment of House bill 5934, to pension soldiers and sailors of the war with Spain, the Philippine insurrection, and the China relief expedition; to the Committee on Pensions.

3574. By Mr. CULLEN: Petition of Indian relief committee of Minneapolis, urging the Congress to act with favor and promptness upon the bill now pending for the relief of the Chippewa Indians of Minnesota out of funds now held by the Government belonging to those Indians; to the Committee on Indian Affairs.

3575. By Mr. DAVEY: Petition of 37 residents of Ravenna, Ohio, protesting against the proposed compulsory Sunday observance bill (S. 3218) or any other religious legislation which may be pending in Congress; to the Committee on the District of Columbia.

3576. By Mr. HUDSON: Petition of the Real Estate Board of the city of Pontiac, Mich., protesting against the so-called rent bill (H. R. 11708); to the Committee on the District of Columbia.

3577. By Mr. SWING: Petition of residents of Anaheim, Calif., protesting against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3578. By Mr. TILLMAN: Petition of G. E. Norwood and others, all of Fayetteville, Ark., opposing the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

#### SENATE

WEDNESDAY, January 28, 1925

(Legislative day of Monday, January 26, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 518) to authorize and direct the Secretary of War, for national defense in time of war and for the production of fertilizers and other useful products in time of peace, to sell to Henry Ford, or a corporation to be incorporated by him, nitrate plant No. 1, at Sheffield, Ala.; nitrate plant No. 2, at Muscle Shoals, Ala.; Waco Quarry, near Russellville, Ala.; steam power plant to be located and constructed at or near, Lock and Dam No. 17 on the Black Warrior River, Ala., with right of way and transmission line to nitrate plant No. 2, Muscle Shoals, Ala.; and to lease to Henry Ford, or a corporation to be incorporated by him, Dam No. 2 and Dam No. 3 (as designated in H. Doc. No. 1262, 64th Cong., 1st sess.), including power stations when constructed as provided herein, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCKENZIE, Mr. MORIN, and Mr. QUIN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 27) requesting the President to return to the Senate the bill (S. 3622) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Bayou Bartholomew at each of the following-named points in Morehouse Parish, La.: Vester Ferry, Ward Ferry, and Zachery Ferry.

The message further announced that the House had passed a bill (H. R. 11753) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, and for other purposes, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had affixed his signature to the following enrolled bills:

S. 51. An act for the relief of the owner of the schooner *Itasca*;

S. 1199. An act authorizing the appointment of William Schuyler Woodruff as an Infantry officer, United States Army;

S. 1665. An act to provide for the payment of one-half the cost of the construction of a bridge across the San Juan River, N. Mex.; and

S. 2148. An act to empower certain officers, agents, or employees of the Department of Agriculture to administer and take oaths, affirmations, and affidavits in certain cases, and for other purposes.

#### CALL OF THE ROLL

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

|           |                 |           |              |
|-----------|-----------------|-----------|--------------|
| Ashurst   | Ernst           | Kendrick  | Ransdell     |
| Ball      | Fernald         | Keyes     | Reed, Pa.    |
| Bayard    | Ferris          | King      | Sheppard     |
| Bingham   | Fess            | McCormick | Shields      |
| Borah     | Fletcher        | McKellar  | Shipstead    |
| Brookhart | Frazier         | McKinley  | Simmons      |
| Broussard | George          | McLean    | Smith        |
| Bruce     | Gerry           | McNary    | Smoot        |
| Bursum    | Glass           | Mayfield  | Stanfield    |
| Cameron   | Gooding         | Moses     | Sterling     |
| Capper    | Greene          | Neely     | Swanson      |
| Caraway   | Hale            | Norbeck   | Trammell     |
| Copeland  | Harrell         | Norris    | Underwood    |
| Couzens   | Harris          | Oddie     | Wadsworth    |
| Cummins   | Heflin          | Overman   | Walsh, Mass. |
| Curtis    | Howell          | Owen      | Warren       |
| Dale      | Johnson, Calif. | Pepper    | Watson       |
| Dill      | Johnson, Minn.  | Phipps    | Weller       |
| Edge      | Jones, N. Mex.  | Pittman   | Wheeler      |
| Edwards   | Jones, Wash.    | Ralston   | Willis       |

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Eighty Senators have answered to their names. A quorum is present.

#### PETITION AND MEMORIAL

Mr. WILLIS presented resolutions of the Cleveland (Ohio) Bar Association, favoring the passage of legislation granting increased compensation to Federal judges, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Ravenna, Cuyahoga Falls, and Kent, all in the State of Ohio, remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EDGE:

A bill (S. 4110) granting a pension to Bud Evering; to the Committee on Pensions.

By Mr. BALL:

A bill (S. 4111) to provide for the elimination of Lamond grade crossing in the District of Columbia, and for the extension of Van Buren Street; to the Committee on the District of Columbia.

By Mr. WELLER:

A bill (S. 4112) for the relief of the Sanford & Brooks Co. (Inc.); to the Committee on Claims.

By Mr. BURSUM:

A bill (S. 4113) granting a pension to Anna M. Benham;  
A bill (S. 4114) granting a pension to Mary E. Harris;  
A bill (S. 4115) granting a pension to Anna M. E. Purse;  
A bill (S. 4116) granting a pension to Anna K. Brown;  
A bill (S. 4117) granting a pension to Gavino Bernal;  
A bill (S. 4118) granting a pension to Mary J. Wells; and  
A bill (S. 4119) granting an increase of pension to Maria Rosario Maxsam; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 4120) to promote the production of sulphur upon the public domain; to the Committee on Public Lands and Surveys.

By Mr. WALSH of Montana:

A bill (S. 4121) for the relief of Nick Masonich, Isaia Fabbro, and John Disarri; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 4123) to authorize the Secretary of War to secure for the United States title to certain private lands, now used as an Artillery range, adjoining Schofield Barracks, Hawaii; to the Committee on Military Affairs.

By Mr. MCCORMICK:

A bill (S. 4124) for the relief of Mary Davis; to the Committee on Claims.

By Mr. WATSON:

A bill (S. 4125) to regulate the interstate transportation of black bass, and for other purposes; to the Committee on Interstate Commerce.

By Mr. WILLIS:

A bill (S. 4126) legalizing certain taxes imposed by the Philippine Legislature; to the Committee on Territories and Insular Possessions.

By Mr. KING:

A joint resolution (S. J. Res. 176) for the creation of a city planning commission for the District of Columbia; to the Committee on the District of Columbia.

#### AMENDMENT OF AGRICULTURAL CREDITS ACT OF 1923

Mr. McLEAN. Mr. President, I introduce a bill and ask for its reference to the Committee on Banking and Currency.

I want to say with regard to this bill that I introduce it at the instance of the Agricultural Commission recently appointed by the President to investigate agricultural conditions in this country, and report such remedial legislation as they deem to be wise. In view of the importance of this measure I ask that it be printed in the RECORD. It is a very short bill, only one page in length.

The bill (S. 4122) to amend section 202 of the act of Congress approved March 4, 1923, known as the "Agricultural credits act of 1923," was read the first time by its title and the second time at length, and referred to the Committee on Banking and Currency, as follows:

*Be it enacted, etc.,* That paragraph 1 of section 202 of the agricultural credits act of 1923, approved March 4, 1923, be amended by inserting after the word "State," in line 5 of said paragraph, the words "or of the Government of the United States," so that the paragraph as amended will read:

"(1) To discount for or purchase from any national bank and/or any State bank, trust company, agricultural credit corporation, incorporated livestock loan company, savings institution, cooperative bank, cooperative credit or marketing association of agricultural producers organized under the laws of any State or of the Government of the United States, and/or any other Federal intermediate credit bank, with its indorsement, any note, draft, bill or exchange, debenture, or other such obligation the proceeds of which have been advanced or used in the first instance for any agricultural purpose or for the raising, breeding, fattening, or marketing of livestock;"

#### AMENDMENT TO RIVER AND HARBOR BILL

Mr. SHORTRIDGE submitted an amendment intended to be proposed by him to the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

#### FIREARMS IN THE MAILS

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 9093) declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty, which was ordered to lie on the table and to be printed.

#### LANDS, ETC., FOR NAVAL PURPOSES

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (S. 3863) to authorize the Secretary of the Navy to proceed with the construction of certain public works and to provide for the disposition of lands no longer needed, and the acquisition of other lands required for naval purposes, which was referred to the Committee on Naval Affairs and ordered to be printed.

#### POSTAL SALARIES AND POSTAL RATES

Mr. STANFIELD submitted an amendment intended to be proposed by him to the bill (S. 3674) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes, which was ordered to lie on the table and to be printed.

#### HOUSE BILL REFERRED

The bill (H. R. 11753) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

#### MUSCLE SHOALS

Mr. UNDERWOOD. Mr. President, I ask the Chair to lay before the Senate the action of the House on House bill 518, regarding Muscle Shoals.



The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 518) to authorize and direct the Secretary of War, for national defense in time of war and for the production of fertilizers and other useful products in time of peace, to sell to Henry Ford, or a corporation to be incorporated by him, nitrate plant No. 1, at Sheffield, Ala.; nitrate plant No. 2, at Muscle Shoals, Ala.; Waco Quarry, near Russellville, Ala.; steam-power plant to be located and constructed at or near Lock and Dam No. 17, on the Black Warrior River, Ala., with right of way and transmission line to nitrate plant No. 2, Muscle Shoals, Ala.; and to lease to Henry Ford, or a corporation to be incorporated by him, Dam No. 2 and Dam No. 3 (as designated in H. Doc. No. 1262, 64th Cong., 1st sess.), including power stations when constructed as provided herein, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. UNDERWOOD. I move that the Senate insist on its amendments and agree to the conference asked by the House.

The motion was agreed to.

Mr. UNDERWOOD. Now, I want to explain the motion that I intend to make. It is rather unusual. I did not include in my previous motion that the Chair appoint the conferees on the part of the Senate. I think in a case of this kind the conferees should reflect the sentiment of the Senate in regard to the bill. In fact, on page 205 of the Senate Manual, in discussing the question, this statement is made:

Of course, the majority party and the prevailing opinion have the majority of the managers.

Unfortunately the senior members of the committee are not in favor of the bill or the view of the Senate as the bill passed, and as the rules of the Senate authorize or require the election of conferees, except by unanimous consent, and desiring to have conferees to reflect the viewpoint of the Senate with reference to the bill, without in any way intending to reflect on the other members of the committee who have expressed their own views, and solely with the purpose of having Senate conferees respond to the House and see if they can work out a conclusion satisfactory to both Houses, I move that the Senator from New Hampshire [Mr. KEYES], the Senator from Illinois [Mr. McKINLEY], and the Senator from Mississippi [Mr. HARRISON] be appointed the conferees on the part of the Senate.

Mr. SMOOT. Mr. President, I will say to the Senator that that is rather an unusual move.

Mr. UNDERWOOD. I have just said so.

Mr. SMOOT. What the Senator has said is correct, but it is always understood in the Senate that when the Senate appoints conferees the conferees shall take the judgment expressed by the majority vote in this body. They are to stand for the Senate amendments or, if it is a Senate bill, they are to stand against the House amendments to the bill. It seems to me that it is going outside the usual course, as the Senator admits, to make a motion to appoint conferees rather than to follow the general custom.

Mr. UNDERWOOD. I will say to the Senator that of course my motion is strictly within the rule. It is a rule of the Senate. The custom of the Senate, of course, has been that the proposer of a bill or the chairman of a committee, when it comes to the point where a conference is asked, shall move that the Senate insist on its amendments, agree to a conference, and that the Chair appoint the conferees on the part of the Senate, and the Chair usually says, "Without objection, it is so ordered"; otherwise the Senate would always elect conferees.

It happens in this case that there is a very distinct line of determination in regard to the bill. One side is in favor of a Government corporation operating the plant. There is no dispute about that at all. That side is represented by the chairman of the Committee on Agriculture and Forestry, who very sincerely and earnestly represents that particular view and has not yielded a particle on it. Knowing him as I do, I know full well that he will not yield, because he is earnest and sincere and is going to stand for what he believes. His position is that we should have Government operation of the plant.

Mr. SMOOT. Does the Senator mean to say that if the chairman of the Committee on Agriculture and Forestry was appointed a member of the conference committee and if the House conferees would yield upon the Senate provisions, he would not yield?

Mr. UNDERWOOD. I do not know. The chairman of that committee is sitting just behind the Senator from Utah and if he desires to answer the question I will yield that he may do so.

Mr. SMOOT. I suppose the Senator from Nebraska will have something to say about it, and I shall not ask any more questions now, but will let the chairman of the committee speak for himself.

Mr. UNDERWOOD. In making the motion I am not attempting at all to reflect on the Senator from Nebraska. Such a motion has been made before. The precedents show that under conditions similar to those now existing it has been made previously.

I realize that the chairman of the Committee on Agriculture and Forestry did not make his fight against the bill which I proposed just simply to be fighting a bill that I proposed. He was fighting for an idea and a principle in which he believed, and he so announced many times. He announced it in his concluding speech on the floor of the Senate. It is not necessary for me to go further than his own concluding speech unless the Senator from Nebraska now desires to make a different statement in regard to the measure. I assume that is his position until he announces otherwise himself.

Mr. GLASS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. UNDERWOOD. I yield.

Mr. GLASS. The Senator from Alabama did not conclude his description of the line of demarcation between those who favor and those who oppose the bill.

Mr. UNDERWOOD. I intend to do so.

Mr. GLASS. He stated that the chairman of the committee, the Senator from Nebraska, is in favor of Government ownership and operation. What is the distinction in the bill of the Senator from Alabama?

Mr. UNDERWOOD. I intended to come to that before, but was interrupted by the Senator from Utah. I will come to that point now.

The bill that I introduced, and which is in accord with the message of the President of the United States, is primarily in favor of leasing the property if a lessee can be obtained. It does provide that if a lease can not be made then there shall be Government operation, and that is solely because this is a national defense plant and must be operated by the Government if it can not be operated by an individual. But the real line of demarcation is that Senators on the other side of the question, as represented by the chairman of the Committee on Agriculture and Forestry, believe primarily that it should be operated by the Government. They have been perfectly sincere in their argument and they have made that argument to the last moment that the question was before the Senate. I do not doubt their sincerity at all.

The position I take is that it is the part of wisdom to attempt to get a lessee to operate the plant on a contract made by the President, and that was the viewpoint expressed by the last vote of the Senate, which was 50 to 30. The House has asked for a conference and I think it is no reflection whatever on Senators who view it the other way that the Senate should send to the conference conferees who believe in the idea of operating the plant under lease rather than under Government ownership and operation as a primary object.

Of course, this is not the final vote. The conferees will meet and if they reach a conclusion they must bring it back to the Senate. When it comes back the Senate will then have an opportunity to express its view as to whether it agrees to the report of the conferees. But according to the rules and the precedents I think we are entitled to conferees who reflect the last vote of the Senate in passing the bill. That is all I am asking, that they go to the conference reflecting the viewpoint of the Senate. If I am wrong about the other Senators not reflecting that viewpoint and if they will say so, of course I will withdraw what I have said. I think they were sincere in their attitude with reference to the bill.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. UNDERWOOD. Certainly.

Mr. McKELLAR. The Senator said his motion is in accord with the precedents of the Senate. Does the Senator recall a single incident of this kind during his service in the Senate where conferees were appointed because of their favoring or not favoring the particular bill that had been agreed upon by the Senate?

Mr. UNDERWOOD. There are other incidents. It does not happen very often, I agree, but when the Teller amendment was attached to the declaration of war against Spain a distinguished Senator from my State was about to be left off the committee, although he was the senior Democrat, on the ground that he was not in favor of the Teller amendment. He would

have been left off except that he took the floor and stated that in conference he would support the Teller amendment, as it was the viewpoint of the Senate, and waive his own viewpoint. I recall that very well.

Mr. McKELLAR. Was he the chairman of the committee?

Mr. UNDERWOOD. No; but he was the senior Democrat.

Mr. GLASS. Mr. President, how does the Senator from Alabama know that he would have been left off?

Mr. UNDERWOOD. Because the suggestion had been made in the Senate to leave him off.

Mr. GLASS. Oh! We frequently have suggestions made here which the Senate does not confirm.

Mr. UNDERWOOD. And I think he would have retired if it had not been agreed to unanimously. I do not have to go to the precedents, however. If the Senator will turn to the Senate Manual and look at page 204, in speaking of the conferees it says:

They are usually three in number, but on important measures the number is sometimes increased. In the selection of the managers the two large political parties are usually represented, and also care is taken that there shall be a representation of the two opinions which almost always exist on subjects of importance.

Here is what I wish to call to your attention:

Of course, the majority party and the prevailing opinion have the majority of the managers.

"The majority party and the prevailing opinion." That is just exactly what I have moved. I do not care to call names on the Senate floor. The three able gentlemen who are the senior members of this committee are not in accordance with the viewpoint of the bill that was passed. They very candidly said so, and when the question was on the passage of the bill they voted against it. I do not reflect on them. I merely say that we should have conferees meet the House who are in favor of the viewpoint that the Senate voted, and then, when the bill comes back, if you want to renew the fight, you have the right to renew it on the conference report. When we go to the conference, however, I say we are entitled to have conferees who reflect the viewpoint of the Senate, and that is in entire accord with the rules and precedents of the Senate.

Mr. GLASS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. UNDERWOOD. Yes.

Mr. GLASS. Aside from the merits of the issue raised by the Senator's motion, I am not willing now, as I have not been willing heretofore, to have the country understand that one side of this question represents primarily Government ownership and that the other side represents primarily individualism or operation by a private concern. I do not think the Senator's bill represents primarily operation by private contract. It represents that contingently; and unless the Senator or somebody else is sure that under his bill we will get an acceptable bid from a private corporation, we shall have under his bill Government ownership in any event, and Government ownership and operation in the contingency I have cited.

Mr. UNDERWOOD. As far as ownership is concerned, I say there never has been any difference on the floor about that matter. I never have contended that the Government ought to part with title to this property. I do not think it should. It is a matter of war defense, and I do not think anyone here is contending that the title should be parted with. It is a question of operation; but that is not material on this question, I will say to the Senator.

Mr. GLASS. No; it is not.

Mr. UNDERWOOD. It is my viewpoint, however.

Mr. GLASS. I just do not want the country to have a misconception of the differences between the two bills.

Mr. UNDERWOOD. To be sure. I am perfectly willing to have the Senator express his viewpoint. The other was mine. There can be no dispute, however, that there was a battle of six weeks and clearly a distinct difference between the two sides that voted on this bill and sent it to the House; and there can not be any dispute that the Senators I have named in my motion are the first three Senators on the committee who indicated a favorable attitude toward the bill as it passed the Senate.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. UNDERWOOD. I yield.

Mr. SIMMONS. I think the Senator from Alabama is entirely right in his contention that the conferees appointed by

the Senate should reflect, in their action as conferees, the action of the Senate upon the matter committed to them; but I think in the first instance the Senator should trust to the good faith of those who, according to our customs, are entitled to expect and to receive designation as conferees.

Mr. UNDERWOOD. That position is entirely contrary to the rule I have just read to the Senate, which says that that is not to be done.

Mr. SIMMONS. It is our rule, heretofore observed, so far as I know, to appoint as conferees the ranking members of the majority and ranking member of the minority. What I desire to say is that the Senate ought in the first instance to rely upon the good faith of those gentlemen, without any regard to their attitude when the matter was before the Senate, to carry out in conference the will of the Senate as expressed in its ultimate action. I know of no precedent against that; but we came very near establishing such a precedent at the last session of Congress, when the situation was, I think, identical with the situation which the Senator now presents to the Senate.

In the consideration of the revenue bill passed during the last session the majority members of the Senate—all of them, I think, except one—had opposed very strenuously the ultimate action of the Senate as to certain very important and vital phases of that bill, just as in the case before the Senate to-day.

The chairman of the committee and some of the other members of the committee, who under the ordinary practice of the Senate would have been entitled to appointment as conferees, strenuously opposed the action which was finally taken by the Senate. The contention of the minority having been adopted by the Senate in the revenue bill, I was concerned then, as ranking member of the minority, as the Senator from Alabama now is concerned, about what might be the attitude of the chairman of the committee, the distinguished Senator from Utah [Mr. Smoot], and his two associates who would have been entitled under the rules to appointment as conferees with him. I was concerned with the course they might pursue in the conference, because of their strenuous opposition to the action of the Senate; and I considered, together with my colleagues on this side and those on the other side who had acted with us in the incorporation into the bill of these provisions that were so much opposed by the majority on the other side, as to what course we should pursue; whether or not we should do exactly what the Senator proposes to do now, and make a demand that the Senate in the first instance name the conferees, and name only such conferees as were favorable to the bill in the form in which it passed the Senate.

Mr. President, in those conditions we seriously took into consideration the fact that the majority of the conferees who under our rules would be appointed might probably be opposed to the action of the Senate in the conference as they had been upon the floor of the Senate. We finally resolved that by deciding it to be good policy, as well as in the interest of harmony in the Senate, that we should not by our action express distrust of the sincerity and good faith of those gentlemen, but that we should assume, as a matter of course, that they would discharge their obligation to the Senate, and in conference, whatever might have been their attitude when the measure was pending in the Senate, would stand by the final action of the Senate upon those vital matters.

I do not know whether it was expressed openly in the Senate—although it was expressed in conversation among Senators—I know that I expressed it, and I know that it got into the press, and I think probably I was responsible for its getting into the press—that while we would make no objection to appointing in the regular way the chairman and his two ranking associates representing the majority, because we felt bound to assume that they would recognize their obligation to the Senate and would perform their duties with reference to that obligation in conference, still if after their appointment it appeared that they were not faithful and did not carry out the intention of their appointment and support the action and attitude of the Senate, we would either make a motion before the report of the conferees was submitted to remove them and substitute for them other Senators upon that committee who were in sympathy with the Senate's action, or that we would wait until they reported, and then if they had violated their obligation in this regard we might send the measure back to the conference and ask for the appointment of new conferees. That was my attitude then and that would be my feeling now.

I am in sympathy in the pending matter with the position of the chairman of the committee and with the two members of the minority who will likely, under the rule, be appointed as conferees if that rule shall be adhered to; but I have the greatest faith that they will carry out the ultimate action of



the Senate. If they should not, if they should disregard their obligations in that respect, notwithstanding my sympathy with their position on the floor of the Senate and my opposition to the action of the Senate, I would join with the Senator from Alabama in sending the report back to conference and appointing new conferees.

However, I do not think it is wise policy, Mr. President—and I say that frankly to the Senator from Alabama—for us to be asked to assume that because members of the committee opposed here the action that was ultimately taken by this body they will not, if put on the conference committee, honestly and faithfully stand for the action of the Senate as against the counteraction of the House of Representatives. I will not believe that the conferees will not faithfully discharge their duty until such a thing has happened. It did not happen in the case which I have mentioned, because when there was brought up in conference the most vital feature of all the controversy, namely, the substitution of what was known as the Simmons schedule of rates for the Mellon schedule, the conferees on the part of the Senate, those representing the majority as well as those representing the minority of the committee, stood for that position.

There was another vital controversy upon which the alignment in the Senate had been the same, and that was with regard to the publicity of income-tax assessments. Not a member of the conference representing the majority had supported the action of the Senate, but in conference, recognizing the action of the Senate, they stood for it as against their former position in the Senate.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. Yes.

Mr. SMOOT. The Senator from North Carolina will also remember that before ever the conferees were appointed I made a statement to the effect that if the time came when I could not as a conferee support the action of the Senate I would ask the Senate itself to make the change.

Mr. SIMMONS. The Senator's statement is correct. While I felt then that we must trust and did trust those Senators, and must rely upon their sense of obligation to the Senate in the first instance, if they should, however, violate that obligation, we could then call in question their action. I think to do it in advance, in violation of the unbroken practice of the Senate, would place a reflection upon those honorable Members which would result in engendering bad feeling in this body. I trust the Senator from Alabama will not insist upon that course.

Mr. UNDERWOOD. Mr. President, I was glad to yield to the Senator from North Carolina.

Of course, I disclaim now, as I disclaimed in the beginning, any desire or intention on my part to reflect on the honor and integrity of the senior members of the committee, but this is a business proposition. I have been a member of conference committees, and many times have sat in conference for many weeks with the distinguished Senator from North Carolina. I know the limitations on conferees, and I know that a conferee has to reflect the sentiment of the body which he represents rather than his own sentiment, and he should do so. That, however, is not the question in this instance. The distinguished senior Senator from Utah [Mr. Smoot] pointed to the solution of the whole problem when he said, referring to the time the revenue bill went to conference, that before he was appointed a conferee he gave assurances that if he could not agree with the viewpoint expressed by the Senate as represented by the Senator from North Carolina he would resign, and retire from the conference committee. That solved the whole question in that instance; but I have heard no indication from any of the senior members of the committee that they have changed their viewpoint or intend to fight for the viewpoint of the Senate. As a matter of fact so far as I am concerned under similar conditions, it would be embarrassing for me to represent the Senate, and I have not assumed that the senior members of the committee desired to do so. They have not expressed any such desire to me, and my motion certainly does not reflect on the honor or integrity of any of them.

There is, however, a very grave difference between this case and sending to conference a revenue bill, containing many hundreds or thousands of items, and appointing conferees, some of whom may disagree with the action of the Senate on some of the points involved. They may be major points; they may be important points, as they were in the case to which the Senator from North Carolina refers, but those items did not make up the entire revenue bill; there was much more involved in that bill than the provisions contained in any one

item. But here is a case where there was a distinct line of demarcation. One side represented the view of the committee, while I represented a viewpoint entirely different. It was a hard fight; six weeks were consumed in the consideration of the measure, and there were many changes, but finally the Senate by the decisive vote of 50 to 30 decided in favor of the bill as it is now going to conference.

As I say, although there are many precedents for the Chair appointing the senior members of the committee as conferees, I am not so sure that that has always been a good rule, and it is not maintained in some of the great committees of the Senate now. The Appropriations Committee takes the newer members that have come to it from other committees rather than the senior members to act as conferees on certain of the appropriation bills.

I have served on conference committees for the Appropriations Committee at times when I was not a senior member. It is true there was no question raised; I was asked to do so; but there ought not to be a hard and fast rule; there ought not to be a rule in the Senate—or a precedent, because it is not a rule—even if it may have grown up in the lapse of time—that because a Senator has grown old with honors and experience in this body he is the only one who can represent the Senate as a conferee and express the viewpoint of the Senate. The rule does not say so; the rule distinctly says that the majority party shall be represented by the majority, and the prevailing sentiment of the Senate shall be represented. That is what the rule is; that is the governing rule.

Of course, these precedents have grown up because nobody raised any question, and in the majority of cases in the future nobody will raise any question. If the bill reported by the Agricultural Committee had prevailed, and I had been a member of the Committee on Agriculture I should not have desired to become a conferee, because that measure did not express my viewpoint and my sentiment, and I should much have preferred to have a member of the committee appointed as conferee whose viewpoint and sentiment were with the committee. It is idle to say that my motion reflects on the honor of any Senator. As a matter of fact, if the conditions were reversed, I would not want to serve, and it would not be any reflection on my honor if I were not appointed to serve. If I were in disagreement with the Senate as evidenced by its final vote on a bill, I should much prefer, so far as I am concerned, to have the Senate represented by a Senator who was in accord with the viewpoint of the Senate. So far as I know the Senators who are opposed to the bill adopted by the Senate are not in disagreement with the views I have expressed. This bill, I think, is entitled to be represented on the conference committee not merely by Senators who are going to vote for it, but by Senators who believe in the theory of the bill which the Senate passed.

They are much more likely to get a satisfactory conference report, and that does not foreclose the opposition. If they still want to make their fight on the question of some other disposition of this property, they can do it when the conference report comes back. But I have made this motion. I would not have moved to send the bill to conference if it had not been the bill I introduced and for which I had made the fight. It was not the committee bill. It was, technically speaking, the bill I had introduced, and that was the only justification I had in making the motion which has been passed. Otherwise I would have yielded to the chairman of the committee. But his bill did not prevail; it was my bill which prevailed, and now I think the Senate's viewpoint should be represented in conference by men who believe in that viewpoint.

I do not understand that the chairman of the committee, or the Senators who would ordinarily go to conference with the bill, are in accord with the bill as it passed the Senate. Their last words were in absolute contravention of it. They stated their opposition candidly. They have been perfectly sincere in what they have said, and I am not asking the Senate to decline to send these gentlemen for any reason in the world that is personal, but as an affirmative proposition I am asking the Senate to send men who represent the viewpoint of the Senate of the United States. Then if anything goes wrong no criticism can come; but if the Senate sends men who do not represent the viewpoint of the Senate of the United States, and admit they do not, and this bill fails of action because of disagreements of the conferees, then the criticism will come right back to the method used in sending the bill to conference, especially as it is in contravention of the real rules of the Senate.

Mr. NORRIS. Mr. President, I want to discuss this question from two aspects. First, I want to discuss the general and



fundamental proposition of parliamentary law which applies to conference reports generally. As far as I know, in a general way there is no exception to the doctrine that in legislative bodies, or other parliamentary assemblies where there is more than one branch, and the concurrence of both branches is necessary for the enactment of a law or for any other action, the fundamental principle underlying the appointment of conferees by either body is that those shall be appointed who represent the action taken by the body from which they are appointed. As a fundamental proposition, I think no one can dispute the justness of that.

When the Senate and the House have taken action on a legislative proposition, and a conference committee is necessary, we ought to appoint conferees who believe in the action the Senate has taken and are in sympathy with it. It may not always be possible to get conferees who fully agree with the measure as it passes, because as a rule various amendments are adopted.

This bill that was passed by the Senate—the Coolidge-Underwood bill—was opposed by me almost in its entirety. If we follow what I think we should follow—the right kind of an honest rule—then when the conferees are appointed I should not be on the conference committee from the Senate. The Senator from Alabama should head the conferees from the Senate in this case, it seems to me, instead of myself.

Rumors commenced to fly around the Senate Chamber and the corridors of the Capitol that there was some suspicion that I was not sufficiently honest and candid to represent the Senate in this case; that somebody else ought to be put on the conference committee in my place; and when those rumors started to reach me I thought I would see how far the farce would go; but in order to make my record straight I told several persons, not all of them Members of the Senate, that under no circumstances would I serve as a member of the conference committee from the Senate. I said I did not believe I ought to be on the conference committee, that somebody should be appointed who believed in the action of the Senate, and that I thought the Senator from Alabama, who had led the fight and who, although belonging to the minority party, had represented the President in the action taken more nearly than had anybody else, ought to be on the conference committee. I cautioned those to whom I expressed that opinion that I wanted that to remain confidential until the matter had been disposed of, because I was curious to see how far this would be carried.

I have been a Member of the Senate for several years, and for 10 years before I came to the Senate was a Member of the House, and am somewhat familiar, in a very weak way, with the rules of the House, as well as with the rules of the Senate, and the practice in both bodies. I have seen conference committees come and go. I have seen them appointed, and I think I know how they are appointed as well as anyone else knows how they are appointed.

Now, I want to discuss this proposition as it is related to the custom of the Senate. I knew that if the custom of the Senate prevailed I would be appointed to head the conferees on the part of the Senate on this bill. I was somewhat surprised when I discovered that there was quite a movement on foot to prevent my being appointed. If I had been appointed and had served, I would have done just what the Senator from North Carolina has said another Senator did against whose appointment there was opposition. I would have represented the Senate and would have done all I could honorably to have the action of the Senate prevail in the conference. I would not accept a place on a conference committee with any other idea. But, as I have said, I had determined, even before any suggestions had been made, that I would not accept appointment on the conference committee, because, to my mind, I would almost have to stultify myself. I did not believe in the bill; I had no faith in the action taken by the Senate; I was sincerely bitterly opposed to it, and it seemed to me that I should eliminate myself and ought to stay off the committee.

I would not have accepted appointment on the committee under any other condition than the understanding that I represented not myself, but the Senate, and I would have felt it my duty to back up the action of the Senate, just as an attorney must look after the interests of his client; and if he can not do it, he should not take the case. He has a right in the beginning to refuse to be retained. I had the right to refuse to be appointed, and would exercise it. But I was sent for; I was talked to by leading Senators, I was asked to come to the room of the Presiding Officer of the Senate, and it seemed that there was a movement on foot to eliminate me from the conference committee in some way, and I refused to state my attitude. I wanted to see how far it would go.

This bill passed the Senate on the 5th day of January and went to the House. Under the rules of the House, it would have gone to the Committee on Military Affairs, but it remained on the Speaker's desk until yesterday, 22 days. It was kept there for that length of time, those 22 days, to see if some plan could not be devised by which I could be eliminated from the conference committee without breaking the customs of the Senate, and I suppose, although I do not know—I can not understand why the Presiding Officer sent to me and talked it over with me otherwise—that those who are in charge of this legislation, both in the Senate Chamber and out of it, were trying to have him act as the goat and take the bull by the horns, and, when the motion was passed authorizing him to appoint the conferees, for him to eliminate me. He did not want to do that, evidently, and did not get any assurance from me that that course would be agreeable to me; hence that course was not taken.

I was told of various Senators who had been to see him about it, including the Senator from Alabama. I was talked with by other Senators, and I still maintained an attitude of silence on the subject, so far, at least, as letting the interviewers know what position I was going to take. I wanted to see if the Senate was going to break its custom, never broken before. I wanted to know whether the Senate was going to assume that if I were put on the conference committee I would violate the duty of a conferee and refuse to abide by the action of the Senate. I wanted to see if it could be carried that far.

I knew that if that doctrine had been applied to any other standing committee of the Senate the chairman of that committee would have been insulted. You would not have heard the last of it for years. I knew that those who were trying to eliminate me from this conference committee were afraid that if they did it by the method which they had a perfect right to adopt the chicken some day would come to roost, and the precedent would return to plague them when the rule which they had established by taking that course would not suit them.

Personally I do not believe in that custom of the Senate. I think the fundamental proposition that those friendly to legislation should be appointed on conference committees is correct. I do not believe I ought to be on the conference committee. It did seem to me just a little queer, however, that there should be a Member of this body who had known me as long as I have been here and as long as I have been in the House who would hold the opinion that if I went on this conference committee I would violate my solemn duty as a conferee.

The Senator from North Carolina has told things about the appointment of another conference committee which were new to me; how they debated it in secret and finally decided to follow custom, discovering, after all, that the man was honorable, and stood by the action of the Senate. I could have consistently accepted appointment on the conference committee, because technically this is the proposition which goes to the conference: The House passed the so-called Ford bill, to which I was opposed. The Senate, in place of the Ford bill, passed the Underwood bill. There is a great deal of difference between those bills.

I said very frankly that as between the two—and this is what they would have to do in conference—I preferred the Underwood bill. I think it is better than the bill that passed the House. There we gave a lease for 100 years; in the case of the Underwood bill, for 50 years. In the Ford bill we gave away about 75 per cent of the property of Uncle Sam at Muscle Shoals by an absolute warranty deed passing title forever. That does not occur under the Underwood bill. Much as I dislike it, I think the Underwood bill is better than the House bill.

Technically those are the two bills in dispute between the two Houses. As a matter of fact and as a practical proposition that is not true at all, because the Ford bill is dead. Nobody in the House is going to back up the Ford bill. Everybody knows that there is only one bill, and that is the Senate bill. There is no House bill. There was no action of the House taken except to reject the Underwood bill formally and ask for a conference.

We have this proposition as a matter of real fact: We have a bill passed through the Senate that has never been considered by a standing committee of the Senate. It goes to the House. It has never been considered by a standing committee of the House. It has never even been considered by the House itself, one of the most remarkable occurrences that has ever occurred anywhere in the history of legislation. A law giving away \$140,000,000 worth of Government property is going to be put on the statute books without a standing committee of either legislative body ever giving it a moment's consideration and without one House ever reading the bill, without ever giving an opportunity even to the House itself to discuss the



legislation. Technically, that is not true, because, as I said, the House has passed another bill. As a matter of practical application, that is the absolute truth and that is what we are asked to do. I do not want to take any more part in that than I can help.

If we had had here the custom that I think we ought to have of appointing conferees on bills who are in favor of the action of the Senate rather than taking the chairman and the ranking members of the committee and naming them as conferees, it would have gone on and the Chair would probably have selected, and I think ought to have selected in making his appointments, the Senator from Alabama [Mr. UNDERWOOD] as chairman of the conferees and then take two others with him who are favorable to the action of the Senate. That is the way we ought to legislate, but that is the way we never have legislated.

If it had taken its regular course and a suspicion had not been created by quite a large number of the membership of the Senate as to the honesty of myself and the Senator from Oregon [Mr. McNARY], who would have been the next conferee appointed, and the Senator from South Carolina [Mr. SMITH], who has served longer than any of us in this body on that committee—if it had not happened that our fidelity to the action of the Senate and our honesty as men were brought into question by all these maneuvers that have gone on for 22 days, part of them taking place in the White House, part of them over in the other body, and part of them with Members here, by which this legislation was held up and prevented from taking its regular course—I say, if all that had not happened and we had gone on in the regular way and the matter had come back from the House the next day, as it probably would have done under ordinary circumstances, it would all have been eliminated so far as I am concerned by a statement that I would not go on the conference committee, and we might have gone on in the regular way.

Why has the bill been held up? Why have the Members of the House of Representatives been denied the right to consider the bill that is conceded now by the powers that be is going to be enacted into law? Why is it that the history of a generation is laid aside in order that this bill may be put across and put upon the statute books? Twenty-two days it lay upon the Speaker's desk while between the Capitol and the White House various conferences took place to see how we could get it off of that desk and put on the statute books without permitting it to run its regular legislative course.

Why, Mr. President, the Senator from Alabama [Mr. UNDERWOOD] said in his argument, "If these Senators had expressed themselves that they would not go on the conference committee, then we would have taken the regular course." He said, "They have not made such an expression to me." Does the Senator from Alabama think that it was my duty to hunt him up and say, "I understand you are a party here to trying to keep me off the conference committee, and I want to tell you that I will not go on it, or if I do go on it, I will stand by the Senate"? Why could not we have assumed in this case, like the Senator from North Carolina [Mr. SIMMONS] said, at least that these men were going to do their duty as Senators until the contrary was apparent? That is the reason, it seems to me, why this action, culminating in all kinds of conferences lasting for 22 days, is one that casts reflection upon the members of the Committee on Agriculture and Forestry and never happened to any other committee. But we are used to it. You ride over us whenever the machine feels so disposed, and it does not make much difference with us.

If this was a common occurrence, we would not think anything of it, but it is an uncommon occurrence. Is it true that I and the other two I have mentioned have sunk so low in the confidence and in the estimation of our fellow Senators that we can not be trusted as conferees to carry out the action of this body? Is our reputation such in this body that our reputations are of no avail and that Senators, before we take any action, are suspicious that we are going to do a dishonorable thing; that they must turn the whole Government upside down to prevent us from getting on a conference committee by which we might tear the earth from under the Senate, the House, and the White House? Is this the only committee that lacks the faith and the confidence of the Senate? Can any man recall when it has happened to any other committee? If we have assumed all along during the many years in the past that what the Senator from North Carolina said is true, that "we will assume these men will do their duty until the contrary appears," that is the rule which prevails at all times except in this case, where it is proposed to put on the statute books something that has never run the gantlet of a standing committee of either body of Congress?

Mr. President, I want to call attention now, particularly of the Senator from Alabama [Mr. UNDERWOOD]—I think it must have escaped his attention; I just noticed it myself—to the fact that during the closing hours of the consideration of the bill the Senator from Alabama, the last time he offered his bill as a substitute, included in it one section that was also in the other bill. He put it in as a substitute for his section 4. Originally I called attention to a couple of things that seemed to me were jokers in the Underwood bill. They had been in the Ford bill. It was a provision by which, I believe, if the Ford offer had passed, the Ford corporation would have been able to crawl out and never make any fertilizer. There were two of them. But the Senator from Alabama explained how he got them. He took them from the Ford bill, and therefore it is perfectly excusable, in my judgment, for letting them remain; but I called attention to them, and he himself struck them out. They were not in the bill then; but in the bill as the RECORD shows it passed the Senate one of those jokers still remains, and that joker comprises the words "according to demand."

The Senate will remember that I called attention to it and that it was debated and conceded that those words ought to go out, and they were taken out, but they appear again now as being in the bill that the Senate has passed. The Senate did not think it had passed any bill with those words in it, and it must have been a misprint or something of the kind.

Mr. UNDERWOOD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. NORRIS. I yield.

Mr. UNDERWOOD. The Senator and I have both made a similar mistake. Section 4, as the Senator is reading it, was put in the second bill by me so that it would not be exactly the same bill that I had offered before, and is an amendment offered by the Senator from Tennessee [Mr. McKELLAR]. I sent the printed form to the desk. The Senator from Nebraska had previously accepted the same amendment as an amendment to his bill.

Mr. NORRIS. No; the Senator is wrong about that.

Mr. UNDERWOOD. I took the printed form.

Mr. NORRIS. In offering his substitute at the time he stated that he had taken the last section in my bill, if you may call it my bill, and put it into his bill.

Mr. UNDERWOOD. It was the amendment of the Senator from Tennessee [Mr. McKELLAR].

Mr. NORRIS. If the Senator will read the section as it was in my bill, he will find those words stricken out. They were stricken out every time when they appeared in my bill. They never were in there afterwards. They were always stricken out. If the Senator had taken it just as we had it, he would not have had those words in his bill.

I do not want the Senator to think that I am even intimating that he intended to have the words in or that it was done with any intention to deceive, but the Senator did state to the Senate that section 4 was just the same as I had in my bill. Of course, there he was wrong. It was not the same and he did not know it at the time, I suppose, and I know I did not know it and I do not think the Senator knew it. As a matter of fact, it was not the same.

Mr. UNDERWOOD. The reason why I said so was that the Senator from Tennessee [Mr. McKELLAR] had offered the amendment, and I heard the Senator from Nebraska say he accepted the amendment. I suppose he afterwards or at the time, without my knowledge, struck out those words.

Mr. NORRIS. They were out at the time.

Mr. UNDERWOOD. They were in the printed amendment that I offered.

Mr. NORRIS. Yes; and the Senator took the amendment as it was printed.

Mr. UNDERWOOD. I assumed the words were out. I will say to the Senator, so far as I am concerned, that I was not prepared to defend the punctuation in that clause of the bill, so when he raised the point some weeks ago I yielded to him and had those words stricken out. I think the purpose of some people in having those words in the bill was that it meant on demand of the farmers; but the grammar and punctuation were not such that I was willing to defend, so when the Senator raised the point I struck them out. I had no intention of putting them in, and I have no doubt the conferees will correct the matter.

Mr. NORRIS. I do not think the Senator had any intention of putting them in, but I call attention to the fact that they are there, whether intentionally or unintentionally. The other words were left out. They were in the original print of the amendment of the Senator from Tennessee [Mr. McKELLAR].



If the Senator had sent that to the desk, and had it read as a part of the substitute unchanged, they would have appeared here also, but they did not appear; they are out; or, at least, from a hasty reading of the bill, I judge they are out. I have not read the measure carefully.

Mr. UNDERWOOD. I will say to the Senator that I took the amendment of the Senator from Tennessee, made it apply to a lessee as well as to a corporation, and sent it to the desk as it was printed. I do not know about it otherwise.

Mr. NORRIS. Mr. President, I wish to say in conclusion, as I practically said in the beginning, if I had been making the motion, and if nothing had happened, as I have narrated, to indicate, as it seems to me, that Members of this body and others out of the body were suspicious that I would not do my duty, I intended when the time came in the very best of faith to urge the appointment of the Senator from Alabama to head the Senate conferees. I think that would be the proper action for the Senate to take. The bill that he championed, with some few modifications, has been passed by the Senate, and while, perhaps, there ought to be conferees on the committee who favor some amendments that were put on the bill, for we desire to make it fair all around, the Senator from Alabama is the man who should head the conferees on the part of the Senate.

Mr. McCORMICK rose.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Illinois?

Mr. NORRIS. I will yield in just a moment. Nobody on the Republican side can object to that. We can not go back to the old custom and say, "Why, he is not on the committee which reported the bill; he is not a Republican, and we must put Republicans on." You followed the Senator from Alabama in this fight; he was your leader. The Senator from Kansas [Mr. CURTIS] was nothing but a lieutenant. The Senator from Alabama led you, and he led you well, and you followed him well and obediently. You won your fight and you ought not to change horses in the middle of the stream. He ought still to be the leader. That would have been the proper course to pursue. I have no objection to the conferees whom the Senator from Alabama has indicated in his motion, but it does not seem to me to be quite right that he himself should not head the conference committee.

I now yield to the Senator from Illinois. For the moment I had forgotten to do so.

Mr. McCORMICK. Do I understand that the Senator from Nebraska, by implication, suggests that if the motion of the Senator from Alabama shall be defeated he will not serve as a conferee?

Mr. NORRIS. I will not.

Mr. McCORMICK. Because, for one, I wish to bear witness to my unbending belief in the integrity of the Senator from Nebraska and his sense of duty. I do not see why the Senator should yield his place as a conferee.

Mr. NORRIS. Of course, I very highly appreciate what the Senator from Illinois has said, but I gave—I do not know whether or not the Senator heard me—at the beginning of my speech the reasons why it seemed to me I ought not to be on the conference committee. I know what my duty as a conferee would be, and if I went on the committee I would perform it to the best of my ability. I felt before the question was raised, that, as a matter of fact, the fundamental theory of a conference committee is more righteous than is our custom, and that I ought not to be placed on the committee. We ought to have Senators on the committee who believe in the bill which was passed, who supported it, and voted for it. However, no matter what I might have thought, when it became apparent that quite a large number of Members of this body, a number of those who are in positions of leadership in the House and the President were all holding conferences, and that one of the objects was to see how they could eliminate me from the conference, I would not then have consented to represent the Senate under any circumstances, because if I had to start in to represent the Senate lacking the faith and confidence of a good share of the Senate, they believing that I was not going to do my duty—

Mr. McKELLAR. Or be called upon in advance to make a promise that you were going to do it.

Mr. NORRIS. Or if I had to go around and hunt Senators up and say, "If you will let me serve on this committee, I will back the Senate up, and here is my resignation; whenever you feel as though I am not doing it, just file it." I would not have consented to serve on the committee of conference under any circumstances. I would not accept a commission with that kind of a string to it.

Mr. McCORMICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Illinois?

Mr. NORRIS. I again yield to the Senator from Illinois.

Mr. McCORMICK. Let me ask the Senator from Nebraska how the issue is to be joined? If the motion of the Senator from Alabama does not prevail, or if it shall prevail, is a substitute therefor to be presented?

Mr. McKELLAR. Mr. President, will the Senator from Nebraska yield to me?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. Yes.

Mr. McKELLAR. Will the Senator yield to me in order that I may offer a substitute at this time for the motion of the Senator from Alabama?

Mr. NORRIS. I had rather the Senator would wait until I yield the floor.

Mr. McCORMICK. Will not the Senator from Nebraska permit the proposed substitute of the Senator from Tennessee to be read so that we may understand its purport?

Mr. NORRIS. Very well.

Mr. McKELLAR. I offer the following motion: I move, as a substitute for the motion of the Senator from Alabama [Mr. UNDERWOOD], that, in accordance with the usual custom of the Senate, the Chair be requested to appoint as conferees on the part of the Senate on H. R. 518 the chairman of the Committee on Agriculture and Forestry [Mr. NORRIS] and Mr. McNARY, the next Republican on the committee, and Mr. SMITH, of South Carolina, the ranking Democrat on the committee.

Mr. UNDERWOOD. Mr. President, I make the point of order against the motion of the Senator from Tennessee.

Mr. NORRIS. The motion has not been offered; it has merely been read for the information of the Senate.

The PRESIDING OFFICER. The Chair understands that the motion has merely been read for the information of the Senate.

Mr. UNDERWOOD. I wish to reserve the right to make the point of order against it.

Mr. NORRIS. I want to say to the Senator from Tennessee that if his motion should prevail I could not accept the place of conferee.

Mr. McKELLAR. I understand that; but I think the Senate ought to elect. The question having come up in this way, I think the Senate owes it to the committee to elect its three ranking Members. I understand that a point of order is about to be made against my motion. I do not know whether it can be submitted according to the rules, but, if it can be so submitted, I intend to submit it, and the Senator can afterwards resign if he sees fit so to do.

Mr. UNDERWOOD. I will say to the Senator from Tennessee, if the Senator from Nebraska will allow me—

Mr. NORRIS. I yield.

Mr. UNDERWOOD. That I will make the point of order against the form of his motion, which provides that the Chair shall appoint. That is contrary to the rules, of course. If the Senator wants to propose three other Senators, he can propose in a substitute motion that three other Senators shall be appointed for the conferees proposed by myself.

Mr. NORRIS. Mr. President, unless some Senator desires to ask me a question I have nothing further to say, and I yield the floor.

The PRESIDING OFFICER. The question is on the motion of the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, it is not necessary for me to say again what I said in the beginning, that my motion is not personal; nor do I for a moment think that the Senator from Nebraska is one who concerns himself about breaking down old laws or old precedents, for, if I remember rightly, some 20 years ago the Senator cooperating with myself and others, or we cooperating with the Senator, broke down a precedent and a rule, thus changing the legislative status of the Congress of the United States. The Senator then thought that action was right; and he has just said that he does not believe in rules that seek to shackle men's hands instead of aiding the representative quality of legislative bodies. The Senator ran true to himself in his statement; he has always occupied that position, and I expected him to do so; but I will say to the Senator that I am not surprised at his statement that he will not serve as a conferee, for I think it comports with his parliamentary career.

In conference with the President pro tempore of the Senate I asked if I, as the author of the bill, would, as usual, be recognized to suggest the conferees, but I received no definite reply from him. Representing the majority opinion of the Senate, I could not afford to take any chance about the matter;



it was up to me to move for conferees friendly to the bill, and it is no reflection to the Senator or his colleagues that I have done so.

The Senator says that he knows of no precedent. In March, 1906, Mr. Teller, of Colorado, a very distinguished Senator and a member of the Republican Party, when a question similar to this was involved, said:

Mr. President, the right to appoint the members of a conference committee belongs to the Senate. I am not going to find any fault with the withdrawal of the motion made by the Senator from Ohio; I agreed to its withdrawal last night. But I wish to say that it is no reflection upon a committee, nor is it any reflection upon the Chair, because he recognized that without a motion to that effect the Chair has not the right to appoint a committee. The right to appoint the members of a conference committee is with the body that creates the committee. That is not always done, because it is convenient generally—and the custom has grown up to that effect—for the chairman of the committee to designate certain members of the committee having charge of the measure to act at the conference. The conferees of the two Houses are then supposed to represent the Senate or the House, as the case may be. I understand also there is a feeling on the part of some members of the committee that to select anyone off of the committee or to select anyone even on the committee who had not been favorable to the first proposition perhaps would be a reflection on the committee. Whenever a conference committee is created it is created to bring the mind of the other body to that of this body, and to bring them together. It is not to represent the view of the minority but to represent, if possible, the majority. Upon that theory the majority of the proposition that passes this body is entitled by custom and usage and on principle to name the committee. A majority only of this body can pass a bill. If the bill is different from what came from the House, the bill as it leaves this body is supposed to represent the sentiment of this body, and this body then is entitled to have a friendly committee.

I could go on—there is nearly a page more of this—but I shall not take up the time of the Senate with it. That statement is made by one of the most distinguished Republicans who ever served in this body, Senator Teller, of Colorado. It clearly sustains the position I am taking here to-day, and that position is merely that the Senate is entitled to have conferees go to conference who represent the viewpoint of the Senate in the vote it has taken.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Nebraska?

Mr. UNDERWOOD. I do.

Mr. NORRIS. The quotation from Senator Teller meets with my most hearty approval. He does not say anything there that I disagree with; but that does not give the Senate an instance where the Senate took action along that line. The Senator does not even claim that the Senate has ever taken such action.

Mr. UNDERWOOD. It only failed to take action in this case because—if the Senator heard the statement read—it was agreed by unanimous consent that what Senator Teller contended for should be carried out.

Mr. NORRIS. Yes; but the Senate did not take action upon which those remarks were based, as I understand. What Senator Teller said I think was fundamentally right, and is just what I have tried to say here to-day.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kansas?

Mr. UNDERWOOD. I yield.

Mr. CURTIS. In view of the discussion that has been going on, I suggest that the Senator modify his motion and provide that the Chair shall name the conferees.

Mr. UNDERWOOD. Mr. President—

Mr. NORRIS. Mr. President, may I interrupt the Senator again?

Mr. UNDERWOOD. Yes.

Mr. NORRIS. I hope the Senator will not do that. After I have made the statement that I would not go on the committee, and that if I had consented to go on the committee I would do the fair thing, I do not like to see the Senate back up now. It has started on a course. Go ahead with it and finish it.

Mr. CURTIS. The Senate has backed up before in a similar case, and I do not think it would hurt itself any to back up again.

Mr. McKELLAR. I do not think the Senate ought to back up.

Mr. NORRIS. I do not think it is fair that the Senate now should withdraw. Let us "bust" this old custom that

we have had here. Let us make a precedent now. Let us not stop, after the man that you are after has eliminated himself, and say that we will not make a precedent of it. Go ahead. Drive on! Let us have something out of the action of the Senate to-day that we can point to to-morrow and next day and say, "Here is this same hen come home to roost; now take your medicine!"

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. UNDERWOOD. I yield.

Mr. McKELLAR. The Senator spoke of Senator Teller being a distinguished Republican. I want to know if he was not also a distinguished Democrat, and if he was not for quite a while on the Democratic side of the Chamber? My recollection is that he can be quoted with equal force both as a Republican and as a Democrat.

Mr. UNDERWOOD. I yield for that suggestion, although I think he called himself a silver Republican at that time.

Mr. McKINLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Illinois?

Mr. UNDERWOOD. I do.

Mr. McKINLEY. When the Senator from Alabama made his motion I was not in the Senate Chamber and I did not know until just now that my name had been mentioned. I desire to say that I should prefer not to serve on this committee.

Mr. UNDERWOOD. Mr. President, I named the Senator from Illinois because he was the second member of the committee who was friendly to the bill. I think the Senator from Nebraska is right. After the Senator's statement I should have been very glad to come to some understanding about this matter, that we might have friendly conferees. I had been unable to find out anything that would have brought it about. I could not have avoided the responsibility of making this motion without knowing that the Chair was going to appoint conferees that were friendly to my bill. Not knowing that, I made the motion. The motion I made was not directed against the Senator from Nebraska. It was directed against the position that the Senator occupied.

The Senator, however, says that he desires to insist on this motion, and that he has a right to insist on it. If I did not make the motion to elect the conferees, somebody else could say that we must have the conferees selected by the Senate. He is right. The motion can not be withdrawn; and, more than that, it is not in order for the Chair to appoint the conferees.

Before I take my seat, as the Senator from Illinois does not desire to serve, it will be necessary for me to amend my motion. I move that the committee consist of the Senator from New Hampshire [Mr. KEYES], the Senator from North Dakota [Mr. LADD], and the Senator from Mississippi [Mr. HARRISON]. I name those Senators in their order because they were the Senators on the committee who favored the bill in the form in which it passed.

Mr. McKELLAR. Mr. President, I move to substitute for the names of Senators KEYES, LADD, and HARRISON the names of Senators NORRIS, McNARY, and SMITH.

Mr. NORRIS. I hope the Senator will not put my name on the committee. I hope he will not do that.

Mr. McKELLAR. Mr. President, it seems to me that we should have a fair, square vote on what is proposed to be done here. The Senator from Nebraska can refuse to serve; he can resign as a member of the committee, and that will end it; but it can not be determined in any other way fairly and squarely except by putting the two ranking Republicans and the one ranking Democrat on the committee.

I want to say to the other three gentlemen whose names have been mentioned that, of course, I have nothing in the world against them in any way. I know that they would make good conferees. That is not the question. The question is whether we are going to stand by the rules of the Senate and the custom of the Senate from time immemorial. My understanding is that there has never been a violation of that rule except when Senators refused to serve, but invariably that custom has been carried out. The statement that Senator Teller may have made about the matter 20 or 30 years ago is not applicable to anything that occurs here. The rule of the Senate has been uniform.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. JOHNSON of California. May I suggest to the Senator from Tennessee that the determination of the particular question can come up upon the motion that is presented by the motion of the Senator from Alabama. The substitute presented by the Senator from Tennessee simply confuses the



issue, because there may be Senators among those whose names he suggests who may not want to serve ultimately; but the whole problem can be settled, I think, by a direct vote upon the proposition presented by the Senator from Alabama. Upon that, of course, I am in accord with the Senator from Tennessee and with the Senator from Nebraska; but the substitute of the Senator from Tennessee is going to confuse the particular issue, and he can not get a real vote upon it.

Mr. HARRIS. Mr. President, I am one of those who voted for the Underwood bill on the last vote, and I voted for the Underwood bill as against the Jones amendment, which would have delayed the whole matter at least a year. Except for the vote of myself and the junior Senator from Florida [Mr. TRAMMELL] and two or three others who had consistently voted for the Norris bill with the McKellar fertilizer amendment the Underwood bill would not have passed this body. A change of three votes would have defeated it. I discussed the matter with others, who told me they voted for the Underwood bill for the same reason that I did; not that they liked the provisions of that bill any better than the provisions of the Norris bill, because we did not like the provisions of either in their entirety. We liked some things in one and some things in another; but the Jones amendment postponed action for at least a year, and we wanted immediate action on this matter so as to get cheaper fertilizers for the farmers as soon as possible. We voted to get action rather than voting for the Underwood bill as against the Norris bill.

The Senator from Alabama, whom I esteem highly, states that the vote was 50 to 30 on his bill. That was not the deciding vote at all. The real deciding vote was on the Jones amendment, providing for a commission to report to Congress a year from now, which was defeated by five votes, and a change of three votes on the part of those of us who had been voting for the Norris bill made it possible for the Underwood bill to get a majority. It was that vote, rather than the 50 to 30 vote, that brought about the result, and we voted to get action.

I am sorry the Senator from Alabama has offered this amendment. I have not forgotten the time when the Senator from Nebraska [Mr. NORRIS] the Senator from Oregon [Mr. McNARY] and a few others on the other side of the Chamber, saved Muscle Shoals from being scrapped. I have not forgotten the time when the Senator from South Carolina, in framing this legislation in the beginning, did so much for Muscle Shoals legislation so as to protect the farmers of my section; and I am not going to vote to humiliate those men. As far as the Senator from Oregon [Mr. McNARY] is concerned, I do not believe there is a man in public life in the United States who will endeavor to do his duty more nearly in accordance with the interests of the people than the Senator from Oregon when he takes action in this body; and I shall vote against the Underwood motion, which changes the long established seniority custom of the Senate in naming conferees.

Mr. SMITH. Mr. President, of course everyone realizes that if we did not know the conditions in the Senate so clearly this motion might be embarrassing, and, in a way, humiliating to some of us whose names, by virtue of the rules of the Senate, are connected with this matter.

I am utterly amazed that the Senator from Alabama, in his zeal to see that the measure for which he stands sponsor shall have an open road, is willing to go to the point of aspersing the integrity and honor of colleagues that he knows are not liable to any such suggestions, or are not guilty or liable to be charged with the implication that goes with his action in this matter. The public does not know, except by custom, what are the rules of the Senate; and when an old custom is broken over, as it is proposed to do here, as a matter of course it carries an implication that those affected thereby are not to be trusted as others have been trusted.

The Senator from Alabama knows that he was not justified in taking the procedure that he has taken.

Mr. UNDERWOOD. Mr. President, if the Senator will allow me, I am perfectly willing for the Senator from South Carolina to state his own position in regard to a matter of this kind; but I must ask the Senator not to say that I know a certain thing, because I think my position is entirely in accord with the rules, and just as much in accord with the rules as when I voted at the beginning of this Congress to elect the Senator chairman of a committee to which position we would have elected, if we had followed the precedents and the custom, the senior Republican member.

Mr. SMITH. Mr. President, the question of whether or not that vote was cast does not carry with it what the Senator

from Alabama, with his intelligence, knows that this action on his part carries. He knows that the Senator from Nebraska [Mr. NORRIS] and the Senator from Oregon [Mr. McNARY] would do as we have always done had they been willing to go on the committee under the circumstances. If they had gone on the committee they would have represented the rule of the majority expressed in that vote.

So far as I am concerned, I had fully made up my mind as to just what course I would take. In this matter, after it took the course it did in the House, as a matter of course I could not have afforded to allow myself to go on the conference committee.

I agree with the Senator from Nebraska that when the majority have expressed themselves touching the principle of any legislation, those in sympathy with it ought, if possible, to go on the conference committee to meet the objections to that principle which come from the other House. But we have not followed that practice. If the Senator from Alabama had had due regard for his colleagues on the other side and on this side he would at least have allowed the precedent to be followed, and then trusted to the feelings and the sentiments of those affected as to what course, as honorable men, they would take.

I rose merely for the purpose of protesting and expressing my disappointment that my colleague from Alabama, in his zeal to have a measure passed, could get the consent of his mind to do this thing. Disrobe it of everything else, his relation to his colleagues here and their good name are worth all the water power in the world. He knows that the Senator from Nebraska would have done his duty and that the Senator from Oregon would likewise have done his duty.

Now, Mr. President, with one word as to the matter at issue I am done. The Senator brought into the Senate a bill containing two features, one covering private operation under Government control, the other Government operation under Government control. The House had previously passed a bill which had provided practically for Government control and private operation, the Ford measure. So that the issue involved was the choice between those two, the House, technically speaking, standing for private operation and Government control, under the Ford plan, duplicating the first part of the Senator's bill. The other was the proposition of Government control. Now, the Senator seeks to put those of us who vote against his measure in the position of being in favor of Government ownership and control, as contradistinguished to private operation and Government control, when he knows that there were those on this side who believed in Government operation and control until the final development of the plant.

With the issue as it now stands, the Senator has practically affirmed that the last proposition in his bill was never in the minds of those who are backing up the legislation which he proposes to put through; that he is willing to go to the extent of indirectly aspersing the integrity of Members of this body and of breaking a precedent of all these years' standing in order that he may force through a provision for leasing the property under the terms of his particular measure.

Of course, I do not know what action the Senate may take upon the monstrous proposition he has brought here to-day, but I had made up my mind, and I still stand on the conclusion, that I would not put myself in a position where, even as the agent of this body, I would be a party to a contract which I did not believe justifiable from any standpoint, and I was not going to put my name to a conference report and put my Government in the attitude of giving to private individuals the means by which 110,000,000 people have hoped to solve one of the great economic problems of this country.

Mr. UNDERWOOD. Mr. President, I do not want to occupy the time of the Senate unduly, but I can not let the remarks of the Senator from South Carolina [Mr. SMITH] go by without expressing myself on the record.

I have served in this body for a great many years. I have always endeavored to attribute proper motives to my colleagues, and I think I have done so. I have endeavored to treat them with courtesy, and I think I have done so. I realize that there may be an appeal to other Senators when a Senator tries to put himself in the position of having been abused by somebody, but if anything has been said in this debate which might leave a yellow streak across the back of the Senator from South Carolina, I have not said it; it has not come from me. I have said from the beginning that I attributed no improper motives to the men who may be senior on the committee, but that I did not desire to have them serve on a conference committee considering a bill in which I was interested, because they were not friendly to the bill. The Senator from South Carolina has just reasserted his position.



The rules of the Senate stating that conferees must be chosen from Senators friendly to the legislation, and giving me the right, as a Senator, to move the election of conferees, I think that others in reach of my voice clearly understand, even if the Senator from South Carolina can not, that I have not made this motion for the purpose of making personal reflections or attributing to men improper conduct. I have only said that I wanted conferees on this bill whose attitude was friendly to its becoming a law. Senators whose names I have not mentioned, and especially the Senator from South Carolina, have distinctly said that they were opposed to the legislation. The Senator from South Carolina has gone so far as to say that he would not sign a conference report on the bill. How, under those circumstances, he can attribute to me an effort to besmirch his private personal character is beyond my comprehension, when I merely owe it to those whose views I represent to try to have conferees appointed who reflect a legislative view, and have nothing to do with the personal characters of these men.

Mr. SMITH. Mr. President, if the Senator had listened carefully to what I said, he knows that I did not attribute to him any belief that the conferees who would normally have been appointed were other than men of integrity—the Senator from Oregon and the Senator from Nebraska—that they were other than what he knew them to be; but that in order to put through his bill and take no chances he was willing to invoke a rule which had never been invoked, and by the very invoking of the rule he did the thing to which I have taken exception.

Mr. UNDERWOOD. Mr. President, I differ with the Senator from South Carolina and with those others who have said that this rule has never been invoked before. It has been, though I concede it is rarely invoked. I read from statements in regard to it.

That rule is the law of the Senate, and it is a proper law. It is perfectly proper and right that when the Senate reaches a conclusion and is about to send a bill to conference, in all honesty to itself, without any reflection whatever on the men who hold the other viewpoint, it is entitled to have men who desire to have the legislation passed to which the Senate has agreed as its ambassadors to the conference committee. I recognize that in the matter of great supply bills and revenue bills that is often impossible as to many items, but it is not impossible with regard to this bill. The only thing I have attributed to the Senator from South Carolina or to the Senator from Nebraska in this matter is that they were in entire disagreement with the viewpoint as expressed by the vote of the Senate itself.

More than that, I am perfectly willing to say that, whether the rule is invoked now or not, in the interest of the American people, in the interest of legislation which reflects the viewpoint of their representatives, the rule is perfectly right; and it is the proper position for any legislative body to take; it is in accord with the fundamental principles of the American Government that men who go on a committee to represent a viewpoint should be men selected who actually at heart believe in the position they go to represent, and there would be far less misrepresentation in the Government if that rule were observed all the time instead of merely being observed by its breach.

Mr. EDGE. Mr. President, this situation appeals to me as being a very contradictory one. Practically all of the Senators who have spoken have agreed with the sentiments expressed by the Senator from Nebraska, and also those expressed by the Senator from Alabama, that in the very nature of things conferees should be friendly to the legislation they are supposed to represent; but Senators at the same time are opposing the motion of the Senator from Alabama.

So far as I am concerned, speaking entirely apart from the legislation at issue, it appeals to me that the rule of seniority, so far as it applies to the naming of conferees, is a very unfortunate one. It means, generally speaking, that the same Senators on either side are always chosen as conferees. I do not question at all their knowledge or ability to carry out their work and to do it without being influenced by their personal viewpoints.

I believe conferees appointed on any measure should be Senators convinced that the measure they are to consider in conference is correct and is right. They know it represents necessarily the will of the majority, or it would not have been passed, and they should go into conference with the enthusiasm of believing the measure should become a law. This view is not a reflection on the desire of any Senator to represent the majority, even though he may have disagreed with them during the debate or the consideration of the measure.

But this particular situation, with the Senator from Nebraska, the Senator from South Carolina, and the Senator from Georgia all taking the position that the conferees should be friendly to the legislation as passed and then assailing the Senator from Alabama because he is endeavoring to put through that very motion, is unusual. Any time such a motion is made, if a Senator desires to so take it, it will be a possible reflection on the senior Senator who might not be named. Any time the effort is made the same explanations will be necessary.

I am speaking, as I said at the outset, from the general standpoint. I believe in the rule of seniority within reasonable limits. I disagree with it absolutely as a definite commitment that certain members of committees are supposed to represent the Senate in conferences on legislation that is passed. For that reason, when the matter comes to a vote on the motion made by the Senator from Alabama, without in any way considering it the slightest reflection on any Member who may be senior to those he has suggested, I shall consider that it simply establishes a precedent, a precedent which should be established, a precedent which perhaps never has been established, but which we agree should be established. The mill will not run with water that has passed, and we will never establish a precedent unless by a vote of the Senate. It seems to me this is a good opportunity to meet a modern condition and to have Members of the Senate represent it who are selected primarily with the thought that they believe in the measure and that they can argue for the measure in a conference of representatives of the two Houses.

Mr. McNARY. Mr. President, I have never had any intention of permitting myself to serve as a conferee in this particular conference, but not by being disqualified; indeed, I am sure that I could render service such as is required by the rules of the Senate. I am conscious of the fact that the chairman of the committee and the ranking Democrat and even myself would have conformed to the rules of the Senate and the precedents to which reference has been made.

I have had enough of Muscle Shoals. I think it was in 1918, when a very dear friend now passed beyond these limits, former Senator Gronna, was chairman of the Committee on Agriculture and Forestry, that I as one of the members of the committee started to hold hearings on Muscle Shoals. I have been wedded to it with fidelity. At this particular juncture, while I have no particular complaint against the Underwood bill, I do not think it is the best species of legislation that could be fashioned. I do not feel under the circumstances that it would be a pleasure for me to serve as a member of the conference committee. I see nothing personal in the whole situation.

Entertaining that view I am wondering how I can get out from this tremendous honor that has been thrust upon me by the Senator from Tennessee [Mr. McKellar] including my name in his motion. Heretofore I have had to seek my honors and the task has not always been an easy one. Now, as a serious parliamentary situation, this is one honor that I want to escape. I decline to serve. I decline to be a candidate. What I need is some little help and assistance to get out from under the situation, and I appeal to the Chair.

Mr. President, a parliamentary inquiry. I want to have my name taken off of the list which has been presented.

The PRESIDING OFFICER (Mr. Fess in the chair). The Chair is helpless in the matter. It is a matter for the Senate to decide.

Mr. McNARY. Then I move, if the amendment is not in the third degree, that the name of the senior Senator from Oregon be eliminated from the amendment offered by the Senator from Tennessee.

Mr. HEFLIN. The Senator from Tennessee is not present, but so far as I am concerned I will accept the amendment of the Senator from Oregon.

Mr. McNARY. I thank the Senator from Alabama. I understand the motion has been unanimously agreed to.

The PRESIDING OFFICER. The question is on agreeing to the substitute offered by the Senator from Tennessee [Mr. McKellar].

Mr. HARRIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll. The principal legislative clerk called the roll, and the following Senators answered to their names:

|           |          |         |          |
|-----------|----------|---------|----------|
| Ashurst   | Bruce    | Cummins | Fernald  |
| Ball      | Bursum   | Curtis  | Ferris   |
| Bayard    | Cameron  | Dale    | Fess     |
| Bingham   | Capper   | Dill    | Fletcher |
| Borah     | Caraway  | Edge    | Frazier  |
| Brookhart | Copeland | Edwards | George   |
| Broussard | Couzens  | Ernst   | Glass    |

|                 |          |            |              |
|-----------------|----------|------------|--------------|
| Gooding         | McKellar | Pittman    | Stanfield    |
| Hale            | McKinley | Ralston    | Stanley      |
| Harrell         | McLean   | Ransdell   | Sterling     |
| Harris          | McNary   | Reed, Mo.  | Swanson      |
| Hedlin          | Means    | Reed, Pa.  | Trammell     |
| Howell          | Moses    | Sheppard   | Underwood    |
| Johnson, Calif. | Neely    | Shields    | Wadsworth    |
| Johnson, Minn.  | Norris   | Shipstead  | Walsh, Mass. |
| Jones, N. Mex.  | Oddie    | Shortridge | Walsh, Mont. |
| Jones, Wash.    | Overman  | Simmons    | Warren       |
| Kendrick        | Owen     | Smith      | Weller       |
| Keyes           | Pepper   | Smoot      | Wheeler      |
| King            | Phipps   | Spencer    | Willis       |

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

Mr. HEFLIN. Mr. President, I merely want to say a word. I do not regard the motion of my colleague as any reflection upon the Senators who are the ranking members of the Committee on Agriculture and Forestry. I am a member of that committee. I am personally very fond of all three of the Senators who are the ranking members, the ranking Democrat on our side, the Senator from South Carolina [Mr. SMITH], the ranking Republican, the chairman of the committee [Mr. NORRIS], and the Senator from Oregon [Mr. McNARY]. But there is no doubt that the dominant thought of the Senate is entitled to be represented on the conference committee, and when we seek to get Senators who represent that thought and have to disregard Senators who are bitterly antagonistic to the view of the Senate we make no reflection upon those latter Senators. There is nothing of that sort involved here, because I know that the Senator from South Carolina [Mr. SMITH], able and strong man that he is, man of deep convictions, is earnestly and honestly against the Underwood bill. I am sincerely for the bill, which has the Ford fertilizer provision in it, and I would rather have somebody on the conference committee who is for the bill, who will represent the thought and action of the Senate on the bill. That is all that we are trying to get. I hope the Senator from South Carolina and the other Senators mentioned will not feel that they are reflected upon in the matter.

Mr. UNDERWOOD. On the substitute of the Senator from Tennessee, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. The Chair did not rule upon my motion of a few moments ago, nor did the Chair answer the parliamentary inquiry I propounded; namely, if, under the rules, I am forced to be an unwilling candidate. I now desire to withdraw my name.

The PRESIDING OFFICER. The Chair would state that it is within the power of the Senate to permit the withdrawal of a Senator's name, and not in the power of the Senator himself to withdraw his name. The only thing the Chair could suggest would be cooperation with the Senator who offered the motion. If the Senator from Oregon could persuade him to withdraw the Senator's name, it would be all right. The Chair is helpless in the matter.

Mr. WALSH of Massachusetts. Can not the Senator ask unanimous consent to have his name withdrawn?

The PRESIDING OFFICER. Yes; the Senator's name may be withdrawn by unanimous consent.

Mr. McKELLAR. I hope the Senator will not do that. Let us have a fair and square vote on the proposition. The Senator can resign his place on the committee, but I hope he will not do so.

Mr. HEFLIN. Mr. President, a parliamentary inquiry.

Mr. McNARY. Mr. President, my resignation is to take effect immediately following the vote. [Laughter.]

Mr. HEFLIN. I wish to make this inquiry: What use is there to take up the time of the Senate to go through the form of voting for a candidate who has stated that he does not desire to be voted for and will not serve if elected?

The PRESIDING OFFICER. That is not a parliamentary inquiry. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON], but on this vote I am at liberty to vote, and I vote "nay."

Mr. McNARY (when his name was called). On this motion I am paired with another candidate for the position of conferee, the Senator from Mississippi [Mr. HARRISON]. Not knowing how he would vote, I withhold my vote.

Mr. OWEN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. ELKINS] to the Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. TRAMMELL (when his name was called). On this vote I am paired with the junior Senator from Massachusetts [Mr.

BUTLER]. I understand that if he were present he would vote "nay," and if I were at liberty to vote I should vote "yea."

The roll call was concluded.

Mr. PHIPPS. On this vote I am paired with the junior Senator from South Carolina [Mr. DIAL]. I am informed that if he were present he would vote as I intend to vote. Therefore I am at liberty to vote. I vote "nay."

Mr. FERNALD (after having voted in the negative). I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I had supposed he was in the Chamber, but I find that he has not voted. I transfer my pair to the junior Senator from Rhode Island [Mr. METCALF] and will let my vote stand.

The result was announced—yeas 35, nays 33, as follows:

| YEAS—35       |                 |           |              |
|---------------|-----------------|-----------|--------------|
| Borah         | George          | Kendrick  | Simmons      |
| Brookhart     | Glass           | McKellar  | Smoot        |
| Broussard     | Gooding         | McLean    | Stanfield    |
| Capper        | Harrell         | Neely     | Swanson      |
| Copeland      | Harris          | Overman   | Wadsworth    |
| Couzens       | Howell          | Ralston   | Walsh, Mass. |
| Dale          | Johnson, Calif. | Ransdell  | Walsh, Mont. |
| Dill          | Johnson, Minn.  | Sheppard  | Wheeler      |
| Frazier       | Jones, Wash.    | Shipstead |              |
| NAYS—33       |                 |           |              |
| Ball          | Edwards         | Moses     | Stanley      |
| Bayard        | Ernst           | Oddie     | Sterling     |
| Bingham       | Fernald         | Owen      | Underwood    |
| Bruce         | Ferris          | Pepper    | Warren       |
| Bursum        | Fess            | Phipps    | Weller       |
| Caraway       | Fletcher        | Pittman   | Willis       |
| Cummins       | Hale            | Reed, Pa. |              |
| Curtis        | Hedlin          | Shields   |              |
| Edge          | Means           | Spencer   |              |
| NOT VOTING—28 |                 |           |              |
| Ashurst       | Harrison        | McCormick | Reed, Mo.    |
| Butler        | Jones, N. Mex.  | McKinley  | Robinson     |
| Cameron       | Keyes           | McNary    | Shortridge   |
| Dial          | King            | Mayfield  | Smith        |
| Elkins        | Ladd            | Metcalf   | Stephens     |
| Gerry         | La Follette     | Norbeck   | Trammell     |
| Greene        | Lenroot         | Norris    | Watson       |

So Mr. McKELLAR's motion was agreed to.

Mr. CURTIS and Mr. UNDERWOOD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. CURTIS. Has the vote been completed on the alternative proposition? As I understood, the vote was taken only on the substitute amendment of the Senator from Tennessee [Mr. McKELLAR].

The PRESIDING OFFICER. The Chair wishes to state that on inquiry of the parliamentarian the Chair was informed that there was but one vote necessary. The occupant of the Chair would think that the vote was simply a preference of the substitute over the original motion, but the practice of the Senate, the Chair understands, requires only a vote on one motion. Therefore the Chair has ruled that the substitute having been agreed to, the appointment of the conference committee is already made.

Mr. SMOOT. Is it not a fact that there could be another amendment offered at this time? Suppose a Senator wished to offer an amendment?

Mr. NORRIS. Mr. President, it seems to me that some one has misinformed the Chair in reference to the practice of the Senate.

The PRESIDING OFFICER. The present occupant of the chair is very willing to leave the matter open. It is his judgment that there ought to have been another vote. However, the Chair has been informed that such is not the practice of the Senate.

Mr. NORRIS. Mr. President, I was called out of the Chamber for a moment—

The PRESIDING OFFICER. The Chair will make short work of it and will regard the adoption of the substitute as being only a preference over the original motion made by the Senator from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. We had a record vote; the Senate decided the question; and I accept the decision of the Chair. There are no technicalities to be raised. There were 33 votes one way and 35 votes the other way, and there is no use to waste time about the matter.

Mr. NORRIS. Mr. President, I was called out of the Chamber during the debate and came back while the calling of the roll was taking place. Was the motion of the Senator from Tennessee [Mr. McKELLAR] modified in any way during my absence?

The PRESIDING OFFICER. It was not.

Mr. NORRIS. Who are the conferees on the part of the Senate.

The PRESIDING OFFICER. The conferees on the part of the Senate are the Senator from Nebraska [Mr. NORRIS], the



Senator from Oregon [Mr. McNARY], and the Senator from South Carolina [Mr. SMITH].

Mr. NORRIS. Mr. President, for the reasons which I previously gave during the debate, I must decline to act as one of the conferees on the part of the Senate.

Mr. BRUCE. Mr. President, may I express the hope that the Senator from Nebraska will not decline?

Mr. NORRIS. I do decline.

Mr. BRUCE.\* I desire to say that if we are to have as conferees Members of the Senate who were originally opposed to the bill, I do not know any Member of the Senate whom I had rather see one of the conferees than the Senator from Nebraska, because it is my opinion, from what I have seen of him in parliamentary action, that as a conferee he will discharge his full duty to the bill and present the case of the Senate as effectively as it could be expected to be presented.

Mr. McNARY. Mr. President, agreeably to my statement while an unwilling candidate, I, too, must decline to serve as a conferee, and I am serious in my refusal so to act.

The PRESIDING OFFICER. The statements of the two Senators are before the Senate.

Mr. McNARY. I ask unanimous consent to be relieved from service as a conferee on the matter now pending before the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the Senator is relieved.

Mr. NORRIS. A parliamentary inquiry. Does not the declaration of a Senator relieve him from service?

The PRESIDING OFFICER. The Chair thinks not.

Mr. NORRIS. Then, if that be the ruling of the Chair, I ask unanimous consent that I also may be relieved from service on the conference committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is granted.

Mr. UNDERWOOD. Mr. President, I recognize the decision of the Senate. I compliment the Senators on the position they have taken. It is playing true to form.

I desire to move the election of Senators KEYES and LADD to fill the vacancies on the conference committee.

Mr. WADSWORTH. Mr. President, will the Senator yield for a question?

Mr. UNDERWOOD. Yes.

Mr. WADSWORTH. In examining the list of the members of the Committee on Agriculture and Forestry it would seem that Senator CAPPER and Senator KEYES are the next in the order of seniority, following Senators NORRIS and McNARY. Is there any objection to following the rule and selecting Senator CAPPER and Senator KEYES?

Mr. UNDERWOOD. I will say to the Senator that my motion was to have, and I still think we ought to have, on the committee Senators who voted for the bill. The Senate by one vote has taken the other position; and, as that is the viewpoint of the Senate I will simply conclude the matter by asking unanimous consent that Senator KEYES and Senator CAPPER be elected to fill the vacancies on the conference committee.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. McKELLAR. Mr. President, as I understand, it is Senators CAPPER and KEYES, Senator CAPPER being first in order on the list.

Mr. UNDERWOOD. Whichever is the senior Senator.

Mr. McKELLAR. That is entirely satisfactory to me.

Mr. SIMMONS. Mr. President, I simply want to inquire of the Senator from Alabama if he is proposing to appoint two or three conferees, Senator SMITH not having signified his acceptance or rejection of the designation?

Mr. UNDERWOOD. Senator SMITH stated a while ago that he would not sign the conference report; but he is elected, and it is up to him to decline if he wants to.

Mr. SIMMONS. Then the Senator has named only two?

Mr. UNDERWOOD. Two; that is all.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and the conferees are elected accordingly.

Mr. CAPPER. Mr. President, I shall have to decline to serve as a conferee on this matter.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent to be relieved from service on the committee. Is there objection? The Chair hears none.

Mr. UNDERWOOD. Mr. President, it has been called to my attention that Senator LADD is out of the city. Senator McKINLEY a while ago declined to serve. Is he in the Cham-

ber? I think he is the next member. I ask unanimous consent that Senator McKINLEY be put on the committee to fill the vacancy.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none, and the conferees are Senators KEYES, McKINLEY, and SMITH.

Mr. MOSES obtained the floor.

Mr. SMITH. Mr. President, will the Senator yield to me? I want to keep up the connection between the various actions of the Senate in reference to the famous Muscle Shoals proposition, so that there will not be a break which might lead to some misunderstanding.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. MOSES. I yield to the Senator from South Carolina for that purpose only.

Mr. SMITH. Mr. President, all of us know that the action of the Senate in passing the Underwood bill in its present form is practically the only thing that is going to be before the conference committee. In view of the action of the Senate in its vote a moment ago, which I felt sure would take place, and in its majority expression, in which it has reaffirmed, as it had a right to reaffirm, its confidence in its Members, I ask unanimous consent that my name be withdrawn as one of the conferees.

The PRESIDING OFFICER. Is there objection to this request? The Chair hears none.

Mr. UNDERWOOD. Mr. President, will the Senator from New Hampshire yield to me for just a moment?

Mr. MOSES. I yield.

Mr. UNDERWOOD. I ask unanimous consent that Mr. HARRISON be appointed to fill the vacancy.

Mr. MOSES. Mr. President, I can not yield the floor for that purpose, because I wish to ask unanimous consent that the senior Senator from Alabama [Mr. UNDERWOOD] be named as the third conferee.

Mr. UNDERWOOD. I would rather not. I will state to the Senator that I prefer to have Senator HARRISON chosen.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Alabama?

Mr. MOSES. Mr. President, having listened to the argument presented by the senior Senator from Alabama in favor of the proposal that friends of the measure should constitute the conferees, I do not think I can yield for that purpose.

Mr. UNDERWOOD. I will ask the Senator to yield. I should be glad to serve, of course; but, while I do not like to say so, I really have been half sick and half well for the past two or three weeks, half the time in bed, and I should very much prefer to have Senator HARRISON chosen.

Mr. MOSES. Mr. President, I am so well advised by one of the conferees just chosen by the Senate with reference to this matter that I can not yield to the Senator for that purpose, and therefore I must insist upon presenting my own unanimous-consent request. Of course, if the Senator from Alabama wishes to object, he can prevent himself from being a conferee.

Mr. UNDERWOOD. I shall have to object on that account, Mr. President.

Mr. MOSES. Very well.

Mr. UNDERWOOD. I now ask unanimous consent that Mr. HARRISON be appointed to fill the vacancy.

The PRESIDING OFFICER. Is there objection to that request?

Mr. McKELLAR. Mr. President, the Senate has just decided that these conferees should be chosen in the regular order of their standing on the committee. Mr. HARRISON is one of the most devoted and splendid friends I have or ever have had. There is no man in this body that I like any better than PAT HARRISON; but in view of the action taken by me in standing by the rules of the Senate and in view of the action of the Senate I shall object, and I ask unanimous consent that JOSEPH E. RANDELL, of Louisiana, the next man on the committee, be made one of the conferees.

The PRESIDING OFFICER. Objection is heard to the request of the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, this is a very disputed question. The vote of the Senate was 35 one way and 33 the other. Senator RANDELL is a man of eminent ability. I suggested Senator HARRISON because I had originally moved Senator HARRISON's appointment. If Senator RANDELL is willing to serve and carry out the purpose of the Senate, of course I raise no objection to him.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. NORRIS. Mr. President—

Mr. MOSES. I yield to the Senator from Nebraska.



Mr. NORRIS. Why does the Senator from Alabama first propound to the Senator from Louisiana a question that he did not propound to the other Senators who were to be appointed? He did not ask them to testify.

Mr. UNDERWOOD. I correct myself. The Senator is probably right. I should not have expressed myself in that way. I should have said, being assured, as I know Senator RANDELL, that he will carry out the viewpoint of the Senate, I do not object.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and Senator RANDELL is chosen a member of the conference committee.

Mr. RANDELL. Mr. President—

Mr. MOSES. I yield to the Senator from Louisiana.

Mr. RANDELL. I do not believe any Member of this body would conceive that I would fail to obey any law adopted by Congress; but I am not in sympathy with the principles of the Underwood bill as it was passed here by a very small majority, and it has not yet become a law, and I respectfully ask to be excused from serving on this committee.

The PRESIDING OFFICER. Is there objection to this request? The Chair hears none.

Mr. MOSES. Mr. President—

Mr. McKELLAR. Will the Senator yield to me?

Mr. MOSES. No, Mr. President, I can not yield to anybody, because in view of all the circumstances I now renew my request for unanimous consent that the senior Senator from Alabama [Mr. UNDERWOOD] shall be the remaining conferee on this committee.

The PRESIDING OFFICER. Is there objection to this request?

Mr. UNDERWOOD. Mr. President—

Mr. MOSES. I implore the senior Senator from Alabama not to object.

Mr. UNDERWOOD. I do not care to serve, and do not wish to serve, and had no intention of serving; but as the Senate is going around in a circle some solution will have to be made of this question, and if every man in the Senate desires me to go to conference and represent my viewpoint on it I shall not object.

Mr. NORRIS. Mr. President—

Mr. MOSES. I yield to the Senator.

Mr. NORRIS. I think the Senator from Alabama ought to be on the conference committee. The only objection I could have to the procedure is that the Senator from New Hampshire in putting him on did not first put him on the stand and ask him whether, if he was appointed, he would follow out the wishes of the Senate.

Mr. MOSES. Mr. President, that being a perfectly pertinent question, I now ask the Senator from Alabama if he will stand by the decision of the Senate as recorded in its vote on the Muscle Shoals measure?

Mr. UNDERWOOD. Although not desiring to go on the conference committee, I can give the Senator from New Hampshire my assurance that I will stand by it as long as there is any standing to be done.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Tennessee?

Mr. MOSES. I yield to the Senator.

Mr. McKELLAR. I desire to request unanimous consent that the next man on the committee, Senator JOHN B. KENDRICK, be selected as a conferee.

Mr. MOSES. I can not yield for that purpose, Mr. President. Therefore I now press my request for unanimous consent.

The PRESIDING OFFICER. Is there objection?

Mr. McKELLAR. I object.

Mr. MOSES. Very well; I still maintain the floor, and I yield to the Senator from Tennessee.

Mr. McKELLAR. I now ask unanimous consent that the next man on the committee, Senator KENDRICK, of Wyoming, be selected as a conferee.

The PRESIDING OFFICER. The Senate has heard the request. Is there objection? The Chair hears none.

#### THE FRENCH DEBT

Mr. McKELLAR. Mr. President, just a few moments ago I had to object to a unanimous-consent request in reference to the Senator from Mississippi [Mr. HARRISON]. Last night, Mr. President, the Senator from Mississippi delivered one of the most eloquent and one of the best speeches I have read in a long time; and I now ask unanimous consent that part of it be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none.

The matter referred to is here printed, as follows:

SENATOR HARRISON'S SPEECH, IN PART, BEFORE NATIONAL FOOD PRODUCERS' ASSOCIATION AT CINCINNATI, OHIO, JANUARY 27, 1925

There is no foreign country the happiness and welfare of which calls for our sympathy more than France. Her long and continued friendship, evidenced in her graciousness during the dark days of the Revolution by loaning to America her immortal Lafayette, and rendering substantial assistance to us in a thousand other ways, has drawn the two peoples into the closest friendship. Those incidents that have emblazoned our history and redounded to our credit should not be forgotten, and the more recent common cause, in which the boys of France and those of America fought side by side for humanity and civilization, should retain that mutual sympathy and elicit always a common admiration. But the heart of a nation is not always reflected in the movements of its leaders.

No people sympathized with France, not only in her struggle during the dark days of the recent great World War but in the many complex problems resulting from that war, more than did our own. With the attitude of Germany written in the destruction of her cities and the loss of her splendid manhood, it was natural that immediately following the war France should have felt some anxiety about her future and to have exercised proper caution—to have seen proper guaranties for her protection maintained. But six years have now passed since the signing of the armistice—quite a sufficient time for war convalescence and economic readjustment. Without minimizing in the least the high price paid by France in that great struggle, the sacrifices made by her allies must be considered.

What is the situation to-day? True, every other allied country following that feverish condition of militarism, adopted a policy of readjustment, finding relief in the cutting down of large standing armies and the curtailment of naval construction. Not so with France. From the armistice up to this good hour she has expended lavishly in the maintenance of large armies and in the preparation of other war activities. No other country has adopted or pursued a like policy. It is not the province of one government to criticize the domestic policies of another. It might not be in good taste for a citizen of one country to voice strictures upon the domestic program of another government; but when the domestic policies of France are so interwoven with the domestic welfare of this country, the cause justifies the means.

It can not be forgotten that in the prosecution of the great World War not only did we send our boys to France to fight and die and render substantial assistance in every way but when the finances of the world were shot to pieces and the interest rates upon the loans to France, Great Britain, Italy, and the other allied countries ranged from 7 to 8 per cent, and often could not be obtained even at those rates, it was this Government that loaned to those countries in fixed terms billions of dollars to prosecute the war and make victory certain. At the time these loans were made for which the American taxpayer was obligated, there was not a man or woman in this country who did not believe that if victory crowned the efforts of the Allies, that every farthing would be paid. What is the result? To-day the American people are being taxed at the rate of 4½ per cent annually, or approximately \$11,000,000,000, with no payments yet being made by France, Italy, Belgium, and other of the smaller allied countries.

Great Britain, acting with the usual promptness that has marked the progress of her history, and zealous of her credit and the maintenance of her national integrity, has in high faith funded her debt to us. There can be little doubt that her financiers and statesmen represented well and creditably that great Government in the negotiations with our commissioners. They did not pay all that the promise exacted, but what they have agreed to pay and what they are annually paying met the approval not only of our commissioners but of our Government as well. Instead of the 5 per cent interest rate obligated, it is quite true that we are only receiving 3 per cent until 1932 and for 50 years thereafter 3½ per cent. But every year, because of the promptness of Great Britain in funding that debt, the American taxpayer is being relieved from taxes of approximately \$175,000,000.

France to-day owes this Government upward of three and three-fourths billions of dollars. Italy owes us approximately \$2,000,000,000, and other European countries totaling approximately \$2,000,000,000. With the exception of Great Britain and four other small countries, none of these governments has made a move or exhibited any inclination toward funding its debts.

Of all the questions to-day confronting the American people, none is more important than that of tax reduction. That being true, the early funding of the European debt, bringing with it the beneficial results of reduced taxes to the American people, is a question in which the American people should feel deeply interested and one which this administration should exert its every effort to promote.

I would not say that the failure of these Governments to fund their debts is the failure of our Government to prosecute the matter. I have great confidence in the high statesmanship and practical business qualities of the State Department and the commissioners appointed by this Government to carry on its negotiations. They may have done everything possible. No doubt they have; but the



more they have done and the greater the efforts extended to adjust the matter makes the guilt the greater of those Governments that have failed to act. The publication recently of the French budget and the failure to disclose therein any mention of its debt to the United States, as well as the speech of Louis Marin in the French House of Deputies recently, has made it an issue legitimate for discussion, not only here, but abroad. The interest that the publication of the budget aroused in America and the strong criticisms that it called forth from practically every source has brought to the front the remarkable statement that the Minister of Finance has made a tentative proposal that France was willing to fund the debt, but only upon an 80-year time limit with an interest at the expiration of 10 years of one-half of 1 per cent. It seems there is in France another element bent upon repudiation and total cancellation. If I should express to you my feelings, and I am sure your feelings, over the ungrateful sentiments and unwise statements of Marin, you would think me encroaching upon the proprieties of the occasion, and indulging too freely in unparliamentary language. Suffice it to say the speech was unwise, imprudent, and unworthy of a Frenchman.

It must not be forgotten in the consideration of these questions that the national wealth of Great Britain is only about twelve billions greater than that of France, while the per capita tax in Great Britain in 1923 was approximately three times as great as that in France. The average tax borne by the citizenship of Great Britain in 1923 was \$76.32 and the per capita tax in France in 1923 was \$28.23.

It will be seen, therefore, that the burden of taxation in France to-day is not near so heavy as it is in Great Britain, and no country in all the world at this time is blessed with a higher degree of prosperity than is France. In these circumstances, what reason can be advanced why greater partiality and better treatment should be extended to her than was extended by our Government to Great Britain and four other smaller countries in the funding of their debts?

What reason could be advanced why the interest rate upon the loan to Great Britain should be  $3\frac{1}{2}$  per cent and that to France one-half of 1 per cent? What reason should there be that the time of making payments by France should be extended to 80 years while Great Britain, Finland, Poland, Lithuania, and Hungary are granted 62 years?

From the reparations settlement no country fared quite as well as France, and the long delay in the final settlement of that question is due to France more than any other country. If I interpret correctly the feelings of the American Congress, and understand the sentiments and heart throbs of the American people, I am quite sure that it is not only against the cancellation of one cent of the European debt to us but that the terms of payment should be the same to all European countries, and no better treatment accorded to France and Italy and Belgium than to Great Britain, Poland, Finland, Lithuania, and Hungary.

It must not be forgotten that if the people of America had exacted every cent that was due by the promise—upward of three billions of dollars—more than the amount finally agreed upon would have been paid by Great Britain alone. And if, upon the same terms that the debt was funded to Great Britain, the debts should be funded by the other European countries, we will have then surrendered approximately \$7,000,000,000 less than there would be due us.

I have discussed these matters for the reason that the question of taxation is all important, and if we are ever able to relieve business and the overburdened taxpayer of America it must come in large measure from the prompt funding of our European indebtedness. The time was, and it was only a few years ago, when in one of the national campaigns the issue was made that the party in power had made possible a billion-dollar Congress. In this great and growing country of ours we have reached in normal times the place where it is necessary for approximately a three-and-one-half-billion-dollar budget. The Government to-day is doing everything it can to reduce these large expenditures, but we all must realize that, because of the many agencies created by the Federal Government and the obligations incurred, the Budget is about cut to the quick. It, of course, must be conceded that it will be reduced as our national debts are redeemed and the interest charges are removed.

If the national debt is to be reduced and the interest eliminated and taxes correspondingly reduced, then the most practical and appropriate means is through the immediate funding of the European indebtedness. How great would be the restrictions on business removed and the burdens of the American taxpayer lifted if under similar terms written in our agreement with Great Britain we could fund the balance of the European indebtedness and receive every year from that source upwards of \$400,000,000. By such a policy not only would a part of the interest annually collected from the American taxpayer upon our Government's bonded indebtedness be paid, but the amount annually being received applied to the redemption of our bonds would bring an era of debt payments increasing annually until a bright day of economic freedom and social contentment would shine upon us.

If upwards of \$400,000,000 a year could be received by this Government from the funding of the whole European indebtedness, the American Congress on that item alone would be able immediately to reduce income and corporation taxes practically one-third. And in the succeeding years, due to less requirements of interest charges, these taxes could be reduced until within a very reasonable time they could be negligible. The crystallized public opinion of America should let those who control the affairs of this Government know, and they in turn should let our foreign debtors know that immediate action should be taken touching this very important question, that good understanding shall not be marred and international financial stability and world economic understanding may be promoted.

Under the growing tendencies of the times the American people have forgotten the philosophy of the fathers and the theories upon which this Government was founded. For everything and in every way the Federal Government is petitioned and expected and too often assumes responsibilities and performs duties for which it was never contemplated. The old philosophy that those least governed are the best governed is as true to-day as when it was enunciated 125 years ago.

Instead of permitting honest business to follow its natural course, unshackled by unnecessary regulations and restrictions, the Federal Government in late years has constituted itself the wet nurse to every legitimate business in America. Of course, there are times when illegitimate and dishonest business becomes so tyrannical and selfish that it must be shown and the way must be pointed out in which it must travel, with signs posted against trespass under penalties against encroachments upon the rights of others. But too often are laws so radically written that in order to detect the dishonest we unnecessarily destroy the legitimate rights of the honest. It is not the spirit of our institutions that honest endeavor should be checked, that legitimate enterprise should be shackled, or that business freedom should be molested. The constant growth of American industries and their dominant position in the economic affairs of the Nation came not through favors granted by the Government nor policies adopted by it. Of course, some interests and some industries profit by certain governmental policies that permit inequitable advantage over other interests and other industries, but in a broad sense the growth of industries in this country and their present dominant position came through the genius and efficient management of those who direct them. No enterprise can possibly succeed unless it is managed by those who are familiar with that business and understand its difficult and many perplexing operations. No Government employee, working upon a small salary, such as our Federal Government pays, is competent to tell those of large affairs, who have made a success of their business, the wisest manner in which to conduct it. There was never a more auspicious time than now to follow that practice proclaimed by a former President, of "Less government in business and more business in government."

#### POSTAL SALARIES AND POSTAL RATES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3674) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia [Mr. GEORGE].

Mr. WALSH of Massachusetts. Let the amendment be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 39, it is proposed to strike out from line 5 to line 14, both inclusive, of the committee amendment, and in lieu thereof to insert the following:

In the case of the portion of such publications devoted to advertisements the rates per pound or fraction thereof for delivery within the several zones applicable to fourth-class matter shall be as follows (but where the space devoted to advertisements does not exceed 5 per cent of the total space, the rate of postage shall be the same as if the whole of such publication was devoted to matter other than advertisements): For the first and second zones,  $1\frac{1}{2}$  cents; for the third zone, 2 cents; for the fourth zone, 3 cents; for the fifth zone,  $3\frac{1}{2}$  cents; for the sixth zone, 4 cents; for the seventh zone, 5 cents; for the eighth zone,  $5\frac{1}{2}$  cents.

Mr. MOSES. Mr. President, the pending question being the amendment presented by the Senator from Georgia [Mr. GEORGE] to section 203 of the pending bill, I simply wish to call the attention of the Senate to certain facts.

The average rate per pound through all the zones on advertising matter subject to the second-class privilege in postal rates is  $5\frac{1}{2}$  cents. The bill as it came to us, with the recommendations of the Post Office Department, provided for an average rate through all the zones of 6.625 cents per pound. The recommendations of the subcommittee and of the full com-



mittee present a rate of 5.625 cents per pound; in other words, a reduction of 1 cent per pound from the rates proposed by the Post Office Department. The rates proposed in the pending amendment are 3.25 cents per pound, on an average, for the eight zones, or 3 cents per pound less than the rates proposed by the department, 2½ cents less than the rates now existing, and 2 cents per pound less than the rates proposed by the committee. Therefore, upon any consideration, it is manifest that the adoption of the pending amendment would most seriously curtail the increase in revenue which this bill looks to bringing about.

It is my own opinion that the argument of the Senator from Georgia is fallacious in that it reduces the average rate per pound through the whole of the eight zones to a point where it can not possibly produce the result which the Senator thinks will be produced. To my mind it is not possible to reduce the rates to so low a point as that proposed by the Senator from Georgia without seriously diminishing the revenue from this class of postal matter.

It will be observed that the rates reported by the subcommittee, and contained in the amendment which the committee proposes, and which is found on page 39 of the printed bill, represent a mean between the higher rates now existing and the rates which the Senator from Georgia would now institute, and it is my opinion, and I think it must be the opinion of Senators generally, that in dealing with a question of this sort it is much better to strike a mean of the rates than to take either extreme, whether high or low.

The argument presented by the Senator from Georgia yesterday was one which carried a considerable personal appeal to me, first of all because I was one of the Senators who once voted for these rates as an amendment to a tax bill; but I voted for those rates at a time when we were not confronted by the necessity of producing \$68,000,000, or as near to that amount as we could approximate, in postal revenue.

The Senator from Georgia fortified his general argument with many specific instances of newspapers and periodicals which would suffer, in some degree at least, if the proposed rates should be applied. With that phase of the argument I sympathize thoroughly, because I happen to have passed the greater portion of my years in connection with small daily newspapers, which probably are affected by the proposed rates. If I may take the one newspaper upon which the Senator from Georgia seemed to lay the greatest emphasis, I hope I may be permitted to speak out of my own experience and say that any newspaper with a circulation of 30,000 which can not earn more than \$6,300 a year must be very badly managed. I chance to know of many daily newspapers with circulations of no more than a third of 30,000 which earn much more than \$6,300 a year.

The point is, however, that if we wait for the change in postal rates until every publication has reached a place where it can submit to the increase, we will never have legislation. It must be that somebody will bear a burden whenever increases in the rates of taxation or of postage or of anything else take place. Consequently I can not think that if we wish to deal sincerely with the subject matter of this legislation we shall undertake to write our rates about any one newspaper or about any class of newspapers.

We have already adopted a proviso to this measure which strikes out, as I believe, certainly \$2,000,000 from the revenue which we hope to derive. I can not but believe that the amendment proposed by the Senator from Georgia would strike out at least \$3,000,000 more, and because I do not wish to see these rates so mutilated that we can not go forward with the good purpose which we had in mind when, by an overwhelming majority, seven months ago we voted for these increases in postal salaries—because of my firm conviction on that point, I urge the Senate to disagree to the amendment proposed by the Senator from Georgia.

Mr. EDGE. Mr. President, supplementing the viewpoint presented by the Senator from New Hampshire [Mr. MOSES], this legislation was inaugurated for the purpose of righting an admitted wrong by increasing the salaries of postal employees throughout the country. I served on the committee preparing the bill which was vetoed by the President, whose veto was sustained by the Senate.

The amendment offered by the Senator from Georgia on its own merits may be in every way justified. I have contended many times, on the floor of the Senate and elsewhere, that the question of postal rates was not necessarily related to the question of salaries; that the men were entitled to fair salaries; that it was generally admitted, almost universally admitted, that the postal employees were not receiving fair salaries, and

that therefore those salaries should be adjusted, irrespective of the revenue.

Mr. STANFIELD. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Oregon?

Mr. EDGE. I yield.

Mr. STANFIELD. I am heartily in accord with the Senator's remarks, may I say. But I rose to ask the Senator if he would yield to me to propose an amendment, which I want to have printed and to lie on the table.

Mr. EDGE. I yield for that purpose.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 49, line 16, the Senator from Oregon proposes to insert the following: "(b) The pay for collect-on-delivery service shall be 10 cents for collections not to exceed \$10; 15 cents for collections not to exceed \$25; 25 cents for collections not to exceed \$50; and 35 cents for collections not to exceed \$100." Also strike out all of lines 16, 17, 18, and 19 on page 49.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. EDGE. Mr. President, I was about to observe that either the employees in this great branch of the Government service are entitled to the raises in salaries purposed under the pending measure, and which are exactly the same as were provided in the measure vetoed, or they are not entitled to such raises. By an overwhelming vote the Senate decided that they were entitled to the increase. The President took exception to the failure of the Senate to provide the revenue necessary to meet the raises, and the pending bill is presented for the purpose of endeavoring to meet his objections.

I see considerable merit, from my viewpoint, in the amendment offered by the Senator from Georgia. I do not believe in high postal rates. I believe that more can be accomplished for the country, generally speaking, by giving the people low rates of postage on all classes of matter—on parcel post, on newspapers, magazines, periodicals, even on first-class matter, developing, as it does, the business of the country. I believe we could well afford to meet deficits in the Post Office Department through other forms of taxation, because of the great encouragement, the great contribution to business development, made possible through reasonable postal charges.

In this case, however, if we are sincerely interested in raising the salaries of the postal employees, we must meet the condition which is presented to us. We have already had the experience of passing a bill without providing for raising the revenue necessary to carry out the purposes of the bill. The Senate passed upon that matter, and the veto of the President has been sustained. If we are to raise the salaries of postal employees we must make an effort to meet the objections of the President, as evidenced by the recorded vote of this body.

I am so much interested in seeing this wrong righted, in seeing the postal employees given what I consider to be a fair wage in comparison with the wages in other industries, that I am ready to accept, in great part at least, the suggestions of the committee for raising revenue, hoping that such a bill will pass and receive the approval of the President, and that the salaries of the postal employees will be raised. Therefore, fundamentally agreeing in principle that postal rates should be low, especially on periodicals disseminating information, and because of the educational value accruing, yet I believe it is a mistake at this time to deliberately invite another reversal and thus put that much further off an advance in wages in favor of which the Senate has overwhelmingly gone on record.

For that reason, under existing conditions, facing the situation we all know we are facing, I must oppose at this time at least the pending amendment.

#### PRESIDENTIAL APPROVALS

A message from the President of the United States by Mr. Latta, one of his secretaries, announced that the President had approved and signed acts and a joint resolution of the following titles:

On January 26, 1925:

S. 625. An act to extend the time for the construction of a bridge across the White River at or near Batesville, Ark.;

S. 3292. An act granting the consent of Congress to the city of Hannibal, Mo., to construct a bridge across the Mississippi River at or near the city of Hannibal, Marion County, Mo.;

S. 3428. An act authorizing the construction of a bridge across the Ohio River to connect the city of Portsmouth, Ohio, and the village of Fullerton, Ky.;

S. 3610. An act authorizing the construction of a bridge across the Missouri River near Arrow Rock, Mo.;



S. 3611. An act authorizing the construction of a bridge across the Missouri River near St. Charles, Mo.;

S. 3621. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Monroe, La.;

S. 3642. An act granting the consent of Congress to the State of Washington to construct, maintain, and operate a bridge across the Columbia River at Kettle Falls, Wash.;

S. 3643. An act authorizing the construction of a bridge across the Ohio River between the municipalities of Ambridge and Woodlawn, Beaver County, Pa.; and

S. J. Res. 61. Joint resolution authorizing the Director of the United States Veterans' Bureau to grant a right of way over United States Veterans' Bureau hospital reservation at Knoxville, Iowa.

On January 27, 1925:

S. 3036. An act to amend the law relating to timber operations on the Menominee Reservation in Wisconsin; and

S. 3416. An act to authorize the appointment of Thomas James Camp as a major of Infantry, Regular Army.

On January 28, 1925:

S. 698. An act for the relief of the Great Lakes Engineering Works;

S. 2089. An act for the relief of the First International Bank of Sweetgrass, Mont.;

S. 3733. An act to enlarge the powers of the Washington Hospital for Foundlings and to enable it to accept the devise and bequest contained in the will of Randolph T. Warwick; and

S. 3792. An act to amend section 81 of the Judicial Code.

#### THE OWNBEY CASE

Mr. BAYARD. Mr. President, on yesterday the junior Senator from Alabama [Mr. HEFLIN], in his personal explanation on the criticism made of him in the papers, took occasion—and, I am sure, mistakenly, because he was misinformed—to say several things about the Delaware courts and Delaware justice. I desire to call attention to those and to correct the errors.

On page 2509 of this morning's *Record*, beginning at the fifth paragraph in the last column, the Senator is reported as having said:

What do you suppose occurred in Delaware when appeal was taken from the lower court to the supreme court of Delaware? The same judges who tried the case in the court below and who denied him the right to be heard went up and sat with the other judges and helped to write the judgment against him for the second time.

As I stated a moment ago, the Senator from Alabama has been hopelessly misinformed. That is a physical and legal impossibility. No judge in the Delaware courts who sits in the court below can or may sit in the court above. I have talked with the Senator from Alabama; I have seen the sources of his information, and there has been a mistaken statement on the part of his informant, and while it is quite true that the Senator from Alabama would not make a mistake in regard to Delaware justice, nevertheless it is a matter of public record that he has made this statement, and on behalf of my State and of the people of my State I desire to correct that error.

Again, in the same speech in the second column, page 2594, after referring to the fact that the statute in question under which Colonel Ownbey had claimed that he was aggrieved and had suffered hardships was repealed, the Senator from Alabama went on to say:

Then what happened? This man went before the same court under that amended statute and tried to have the judgment opened in order that he might then tell the truth and produce his testimony and be permitted to answer the complaint filed against him. But the same court again denied him the right to be heard, upon the ground that the retroactive amendment affected a judgment which had been already rendered by the court, and again they refused to hear him.

Any lay person reading that language, and most of the good people of this country are laymen, would think that justice had been denied Colonel Ownbey at the hands of the courts of Delaware. What I want to call attention to is that that was a retroactive, amendatory statute to the so-called court of London custom, which had theretofore been the law of Delaware by statute and practice. It was amended, I think, in 1916, and the amendment was made to be retroactive. But when Colonel Ownbey went back to the Delaware court to obtain what right he might have, as he conceived his right, he was met by the statement of the court that "there was a judgment rendered in this court, and no matter how retroactive

the terms of the amendatory statute might be the judgment stands, and this court has no power to afford you relief."

I would also state the fact, the patent fact to all lawyers, that the Constitution of the United States forbids any State to pass an ex post facto law, so in that event the Legislature of Delaware, while it might pass a retroactive statute, could not pass an ex post facto statute impinging upon or in any way interfering with the judgment of a court of law.

#### PRELIMINARY REPORT OF THE AGRICULTURAL CONFERENCE (S. DOC. NO. 190)

The PRESIDING OFFICER (Mr. Fess in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Agriculture and Forestry and ordered to be printed:

*To the Congress of the United States:*

Transmitted herewith is a preliminary report of the agricultural conference. It embraces such recommendations as the conference wishes to make at this time. I am advised that while it does not refer to some legislation which is already pending, that the conference reserves the privilege of making further suggestions at some future time. As I have great confidence in the personnel of the conference, and know that they are representative of a very large part of agriculture, and that they have given very thoughtful study to the entire situation, I recommend that their report be embraced in suitable legislation at the earliest possible date.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 28, 1925.

#### CHILD LABOR

Mr. BAYARD. Mr. President, on the 8th day of this month the senior Senator from Montana [Mr. WALSH] delivered a very interesting address upon the so-called child labor amendment to the Federal Constitution. I have been reading that speech over in the last few days and several things in it have struck me as worthy of comment, and I desire to submit to the Senate some views thereon. I shall give the substance of the points on which I want to comment without reading at large from the Senator's speech.

On page 1440 of the *Record* he said:

The only basis I can find in the voluminous literature put out to discredit the amendment for the assertion that it has been discovered that the policy it proclaims comes from Russia, aside from the essential nature of that policy, lies in the fact that Mrs. Florence Kelley was an active advocate of the amendment, as she was of the legislation the failure of which forced the attempt to revise the Constitution.

That is the beginning of a paragraph of scouting the so-called socialistic or communistic backing of the amendment. If it were merely Mrs. Kelley I would have little to say about it; but the suggestion, as I take it from the Senator's speech, is that we need fear nothing whatever about the relationship between Mrs. Kelley and socialistic or communistic societies or associations. That might be true up to a certain point. It might be further true because further on in his speech the Senator said that the movement in itself for child labor should not be criticized even if it came out of communistic and Soviet Russia. But when I find in this connection publications of societies, communistic or sovietistic or socialistic, then I think we should take notice of what is going on here in this country. If, as the Senator seems to insinuate, this movement did start as a Russian proposition, let us take it up in this country and see what the people who were back of it originally still have to say in regard to the movement.

The *Daily Worker* is a communist paper published in this country, I am sorry to say, published in Chicago, and I only read one or two extracts from the number of December 1, 1924, touching the question of the advocacy of the child labor amendment, so called. This paper necessarily and naturally advocates the adoption of that amendment. I read from it because I will have to remark on it from time to time; otherwise I would merely ask to have it spread in the *Record*:

The Workers Party has issued a call for a united front of all workers' organizations to combat the exploitation of children.

It is planned to immediately enlist all labor organizations, unions, cooperatives, women's organizations, fraternal organizations, and similar bodies in this campaign.

#### DOUBLE-EDGED DRIVE

The object of this drive is twofold, as follows:

1. Compel the State legislatures to immediately ratify the child labor amendment to the Constitution.
2. Compel the State and Federal legislatures to pass a law providing for full Government maintenance of all school children of



workers and poor farmers, without which, the Workers Party declares, a child labor law is useless.

The statement on policy, organization, and propaganda for this drive, sent out by the central executive committee of the Workers Party to all the party's district organizers, foreign language federation secretaries, the communist and labor press, is as follows:

#### STATEMENT OF POLICY

1. To immediately begin intensive agitation in all labor organizations, unions, cooperatives, women's organizations, youth organizations, fraternal organizations, cultural organizations, etc., for a united-front campaign to fight for the following demands: (a) Compel the State legislatures to immediately ratify the child labor amendment to the Constitution; (b) compel the State and Federal legislatures to pass a law providing for full Government maintenance of all school children of workers and poor farmers. The funds for this purpose to come from special taxes on high incomes.

2. To begin similar agitation in all organizations of poor farmers.

3. The following slogans should serve as initial slogans in the campaign, to be supplemented with more and wider political slogans as the campaign progresses and gains in intensity: (a) Save from degeneration the youth of the workers and poor farmers. (b) Save the physical and moral well-being of the future generations of the workers and poor farmers. (c) Protect your wages, your unions, and your standard of living by stopping the exploitation of child labor. (d) Unionize the working class youth. Every labor union, local and national, city and State, must establish special youth departments to organize the young workers and educate them in the class struggle.

Please note there, and before I get through with this thing I will show that the whole movement so far as communists are concerned is building up a policy for class struggle alone, and in the conception of these writers, whom I shall read from, their whole theory in advocating the child-labor movement is a class movement pure and simple. It is not only a class movement, but a so-called financial movement. It is a movement against wealth—not that I am trying to stand up for wealth in what I have to say.

(g) Don't rely upon the C. P. A. and La Follette; (h) organize your own strength in a united front of workers and poor farmers and fight for your demands; (i) join and support the Workers Party; (j) the child-labor amendment is meaningless without Government maintenance of the school children of workers and poor farmers.

#### ORGANIZING THE UNITED FRONT

1. Local united front conferences to combat exploitation of child labor, these conferences to consist of organizations of labor and poor farmers.

2. Special effort should be made to draw into these conferences organizations of working-class women, youth organizations, and especially organizations of poor farmers.

Then again in the same paper, in the issue of December 15, 1924, I quote from a double-headed statement opposing the statement of Vice President Marshall of this country, entitled "An ex-President peddles more hokum for his capitalistic class."

The article goes on to say:

Marshall fears that the protection of the children heralds the coming of socialism. He stands petrified in the grip of a fear that any government might concern itself with the welfare of growing boys and girls.

Marshall may rest easy, in so far as his capitalist state is concerned. It will never lift the burden of toil from the shoulders of the young. No cannibal was ever born who devoured his human meal with greater relish than the joy with which capitalism feeds upon its youth. Capitalism will always fight for the right to send children into the maw of the great industrial machine, as competitors with their fathers and mothers, their grown brothers and sisters, in the slave market of the wage workers.

The problem of child labor, like the problem of unemployment and other ills inherent in the present social system, will endure as long as capitalism lasts. The struggle against child labor, the struggle against unemployment is fundamentally the struggle to end the capitalist system and all the evils it spawns.

That is the struggle of the Workers (Communist) Party and the Young Workers (Communist) League in their joint war against child labor. Labor must learn that the fight against child labor is a fight to abolish the capitalist state; an effort to establish soviet rule for the suppression of the last remnant of capitalism and the ushering in of the Communist social order under which children will become the heirs of their childhood for the first time since human history began.

Mr. President, what I have been trying to bring out is: The senior Senator from Montana [Mr. WALSH] said that the advocacy of this movement by the communists and socialists is a perfectly meaningless and harmless one; that the movement is strong enough to stand by itself. The point I am trying to

make is that with this communist and socialist backing goes other propaganda which I think we can well take account of. That propaganda shows what is their conception of the movement and what it means.

I hope the Senate has not misconceived one thing that is in my mind as to the stand I am taking in this matter. I am in favor of State regulation of child labor and always have been. That I am not opposed to in any way, shape, or manner. But the national operation I am opposed to, and it is national operation particularly that these people are backing, as I see it, through these articles for a totally different purpose, or rather a further purpose, as I see it; and for that reason I think their association with the national movement portends no good.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Tennessee?

Mr. BAYARD. I yield.

Mr. McKELLAR. The Senator has stated that he is in favor of State regulation of child labor. The Senator knows that for many years, ever since I was a boy—and that has been now some time—there has been an agitation in reference to child labor laws. First it was started in the States. The Senator says that he is in favor of child labor laws in the States. Does the Senator now say that the socialists and the communists make a distinction between State child-labor restriction measures and national child-labor measures?

Mr. BAYARD. I did not pretend to say that, and I do not perceive how the Senator could imagine I did, and for this reason—

Mr. McKELLAR. I judged so from what the Senator stated, and I am glad to be corrected about it.

Mr. BAYARD. I will say, in response to the Senator, that if the Senator had followed this movement in Congress during the last few months he would have realized from what has been said upon the floor in both Houses what is the present condition of the State laws regarding child labor; so that anybody who was for the movement would not have made a suggestion of that kind. Every State in the Union has child labor laws of the kind he has suggested—every one of them.

Mr. McKELLAR. Every one of them.

Mr. BAYARD. And it will be found, I am quite sure, that not only are the socialists and the communists back of these laws but back of the movement seeking to bring such laws about, and they are doubtless aiding the movement to make such laws even more stringent than they are to-day. The point I am trying to make is that they want a national law passed for the purpose of following up that national law with the very things referred to in the publications from which I am reading. That is the purpose for which they are asking a national law; not that they have not got State operation; they have, and everybody knows it; but they want to use a national operation for further, ulterior purposes.

Mr. McKELLAR. Mr. President, I merely wish to say to the Senator that I think he must be mistaken, for when the first national child labor law was enacted by Congress in 1914, as I recall, when it was a real question before the Congress, and after that act was declared unconstitutional when a second measure was before the Congress in 1918 or 1919, I literally received, I might say, tens of thousands of letters from Tennessee in favor of those acts; and if there are over a half dozen communists or socialists in my State I never have heard of them. We virtually have no socialism or communism in my State; that State is perfectly free from either; and yet there was a tremendous sentiment there in favor of the proposed action.

Mr. KING. Mr. President, will the Senator yield?

Mr. BAYARD. I yield to the Senator from Utah.

Mr. KING. Mr. President, as I understand the Senator from Delaware, I think his position is correct, namely, that the socialists and communists are favorable to the aggrandizing of power in the Federal Government. It will be found that some of the extreme socialists are in favor of belittling and destroying the States and of centralizing all authority in a central government, for the reason that they believe that the transition then from what we denominate democracy or representative government to pure socialism will be more easily effectuated.

Mr. BAYARD. And this is merely a step on the way; that is all it is.

Mr. KING. The change can more easily be made from a monarchy to socialism than from a democracy to socialism.

Therefore we find the paradox in Germany to-day of the monarchists and communists affiliating in their political activities. I was told by monarchists and by communists, when I was in Germany a few months ago, that the communists would coop-



erate with the monarchists continually. Mr. Trotzki and other leading communists when I was in Russia stated to me that they had given advice to the committee which had come from the communists of Germany to Russia for the purpose of obtaining aid in their contest against the Republic of Germany to join with the monarchists wherever the monarchists were in the ascendancy for the purpose of destroying the democratic spirit and the democratic movement in Germany; and Trotzki very frankly stated—

Mr. BAYARD. Mr. President, I should like to continue my remarks without having their continuity broken by a long speech, although I am glad to yield to the Senator for a question.

Mr. KING. I beg the Senator's pardon.

Mr. BAYARD. I quite agree with the proposition the Senator advances, that this is merely a step in the work of the communists and socialists in this and every other country to get control of the state, and they want to get control of the children, as they say in some of their publications, as one of the steps in that direction.

Mr. President, I have here a copy of the Young Worker of the issue of December 15, 1924. It is published in Chicago, and rather than read it at large I ask permission to have printed in the Record the article entitled "Fight child labor."

The PRESIDING OFFICER. Without objection, the request is granted.

The matter referred to is as follows:

#### FIGHT CHILD LABOR!

One of the most important duties of the workers of America to-day is a united struggle against the conditions of slavery under which American working class children toil. Millions of children under the age of 16 give the best years of their life under the yoke of the most brutal exploitation imaginable. Under the burning sun of Michigan's beet fields, the cotton fields of the South, the farms of the West and South, in the factories of the East, in every industry in the country, little children are sucked dry for the profits of the profit-thirsty capitalist class.

These very bosses, who contribute thousands to reactionary organizations whose aim is to fight communism on the ground that it will break up the home, are the most active in breaking up the working-class family, already well shattered by capitalism. Due to the miserable wages that the average worker is now getting, children are being forced into industry and agriculture by the thousands. They are tasting the bitter poison of capitalist exploitation while yet in their teens. They feel the goading lash of the boss because they have not happened to be born the sons or daughters of bloated millionaires.

Numerous organizations exist, maintaining that they are opposed to child labor. But they are really opposed to it for enlightened capitalist reasons. They want to conserve the energy of the child in order that he may make a more efficient wage slave when he grows older. They oppose child labor for this reason or for sentimental reasons. And it is these organizations that have been instrumental in putting through the child-labor amendment in the Houses of Congress. But, as we have already pointed out, this alleged amendment means very little. It does not in itself abolish child labor, but merely gives Congress the right to regulate or limit it. It is now going the rounds of the various State legislatures, and it has already been downed in four States. If nine more kill it, the amendment is dead. And every indication points to the swift end of the amendment.

The liberals and fakers will plead that there is a long road to be traversed before anything can be done, and that in the meantime all that is necessary is that lobbies be maintained in the various capitals to influence legislatures.

From the experience of the workers, however, we can safely say that nothing will be done until the workers make use of their organized might to force the Government and the industries to relieve the conditions of the child toilers. We say "relieve" because child exploitation will be abolished only with the abolition of its cause—capitalism.

In this struggle against child labor the call for the united front issued by the Workers Party and actively supported by the Young Workers League, must have the support of every working class organization and body in this country. The workers of America must show that they are not willing to wait until the benevolence of the capitalists acts through their kept legislatures. By their militant action they must force the capitalist tools to recognize the demands of the workers.

The Young Workers League and the junior groups must take a most active part in this campaign. The young workers and the children must be drawn into this struggle. Let every factory resound with our slogans. Let every school be drawn into support for the drive. Together with the Workers Party the entire communist movement will be mobilized for an energetic drive that will not only rally the workers to the leadership of the communist in this urgent drive, but will show to labor who is actually interested in doing something for the child slaves, will expose those fakers who, like Gompers, are

at all times more ready to talk about support to the workers than give them actual support.

Get the youth into activity against this stain upon the shield of the working class of America!

Mr. BAYARD. I hold in my hand, Mr. President, a copy of a magazine which is called The Workers Monthly, a consolidation of the Labor Herald, the Liberator, and the Soviet Russia Pictorial. From that I will not read but ask that there may be incorporated in my remarks in the Record the article entitled "Fight against child labor."

The PRESIDING OFFICER. May the Chair ask are there illustrations which the Senator requests may be printed with the article?

Mr. BAYARD. I have marked the reading matter and I merely ask that the reading matter may be inserted in the Record. The article is on page 140, and I have marked it and will give it to the reporter.

The PRESIDING OFFICER. Without objection, the article will be printed as requested.

The article referred to is as follows:

#### FIGHT AGAINST CHILD LABOR

Every militant and progressive unionist, and every revolutionary worker, will join in the demand for the ratification of the child labor amendment to the Constitution. But there should be no illusions about this amendment. It will not protect the children of the workers. In the first place, it only gives power to Congress to pass legislation; it remains for such legislation to be forced through the legislative bodies by the pressure of working-class demands. Secondly, the prohibition of child labor, unless it is accompanied by governmental maintenance of the children, is absolutely ineffective.

It is only when the working class has itself taken over the political power, when the capitalist dictatorship has been overthrown by the dictatorship of the working class, that child labor and other evils afflicting the toiling masses can be abolished. What will happen under a proletarian régime is strikingly illustrated by the story in this issue by Anna Louise Strong, formerly of Seattle and now in Russia. Anna Louise Strong tells about the one spot on the globe where the life problems of the working class are being solved in a comprehensive manner. It is only when the workers of the United States have similar power to control, through their own government of workers' councils, the social and economic life of the country that child labor will cease its destructive work.

While capitalism remains, legislation on the child-labor question will only give such slight relief as the workers force through by their political and economic power, by demands and demonstrations. And such pressure upon the capitalist government, in order to have any effect whatever, must be given point and substance by demands for governmental maintenance of all children of school age, such maintenance to be paid for by special taxes upon large incomes. The rich who appropriate the wealth produced by the working class must be made to disgorge a part of it for this purpose as one of the first steps toward making them disgorge all their ill-gotten gains to make way for the new system of society, wherein the working class will rule.

Mr. BAYARD. Mr. President, I quote from these publications in this particular part of my speech merely to emphasize the point I have in mind, that while the Senator from Montana belittled the association of these persons with the movement, I think it is a very serious thing. I speak at length of it and make these quotations in order that the Senate may see what is going on and that those who read the Record may see what is going on; that there is underneath all of this a direct and positive movement to realize what is being advocated by a great many people in this country, to wit, the so-called child labor amendment, a movement for ulterior purposes, and one of the ulterior purposes is the breaking down of our democratic form of government and the establishment of a soviet, socialist, or communistic government, as the case may be, in place of it.

The Senator from Montana spoke of one phase of the question, and that was as to whether or not there was a fair presentation regarding the fear of the farmer in regard to the proposed constitutional amendment which had been submitted to the States. I think the farmer may well be afraid of it, because, as I conceive the amendment, it offers an opportunity, which undoubtedly will be made use of, to handicap the farmer in more ways than one.

Of the million and sixty-odd thousand children between the ages of 10 and 15 years, as shown by the last census, who were engaged in gainful occupations about 600,000 were upon the farms and engaged in some form of work or another. So the farmer has the bigger stake after all.

There are two phases of it: One as to whether or not the actual labor of children upon the farm should be infringed



upon, and the other is the phase, which I shall not go into at all, but in regard to which I dwelt upon in my speech last May, and that is how far or in what form will the laws which may hereafter be passed regulating the labor of persons under the age of 18 years make that labor dependent upon educational and other opportunities.

The Senator from Montana said no fear need be had; and, perhaps, that might have been true six months ago. Certainly it was true so far as the greatest public advocate of this measure, the Child Labor Bulletin, of New York, published by the National Child Labor Bureau, was concerned, for they said in their April number:

The National Child Labor Committee has no intention of trying to secure any Federal action to regulate the work of children in agriculture under the direction of their own parents on their own farms.

That was in the April, 1924, number, but after the issue of that number, and when the House of Representatives adopted the amendment, and it came into this body, and while it was pending here, their June number came out, and in their June number they made this statement:

The National Child Labor Committee seeks to protect the interests of the child, and it can not remain true to its past traditions without recognition of the fact that thousands of children are now, and are likely to be in the future, exploited by an industrialized agriculture.

Again, in the same June number, it is said:

It is now clearly evident that where children are forced to work under contract in industrialized forms of agriculture some form of legislation is needed to protect their interests.

In other words, there is fair warning to the farmer exactly to what extent this movement is intended to go.

I might state that the farmer is on his guard. I do not know how many thousand local granges there are throughout this country, subordinate to the State granges, and therefore to the National Grange, but I imagine there are many thousands; and I venture the statement, without fear of contradiction, that there is not a single grange in this country that has gone on record in favor of this so-called child labor amendment.

If any action of any kind has been taken I think it will be found to be very much the reverse. I know in Delaware the State grange and all the individual granges are absolutely opposed to it. So I think that the farmer need not be very much warned about it; I think he is "on his toes" in regard to it. I think he knows what is going on, and, for his own sake, I hope he does.

The Senator from Montana also touched upon the question of congressional legislation on the child labor amendment, and intimated that Congress would not be foolish or careless or improvident—I am not using his own words; those are my words—in regard to the matter, but that whatever it did do under any circumstances would be controlled, in the last analysis, by the United States Supreme Court.

I wish again to read, Mr. President, the wording of the proposed amendment to the Constitution.

It provides that—

The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age—

That is section 1. That "The Congress shall have power."

I have forgotten the exact wording of the eighteenth amendment—and I refer to it merely for the purpose of illustration; I am not passing any criticism upon the eighteenth amendment or upon the Volstead Act, or upon any other act passed by Congress to make it effective—but my recollection is that the first section of the eighteenth amendment made provision to prevent the manufacture, transportation, and sale of alcohol to be used as a beverage, and the second section provided that Congress and the States could enact the necessary legislative provisions in regard thereto in order to make the first section effective.

Words are meaningless if the so-called child labor amendment is not as potent as the eighteenth amendment to enable Congress to enact any legislation which Congress may deem necessary to make effective the proposed child labor amendment. The clause I read a moment ago reads that "Congress shall have power."

It is perfectly absurd to say that Congress will not do things when we all know that Congress not only will do things but will be importuned to do a great many things which people now say it will not do, particularly the proponents of this measure.

When the eighteenth amendment was adopted I think no one supposed that Congress would pass the Volstead law in its

present form. While it was known that some act would be passed which would make the constitutional provision operative, it was sincerely hoped that at least it would not be in a form which would provoke the resentment and the ridicule of the people of this country, but that it would present some operative form under which the law could be administered, I submit that that was not accomplished, and I further submit that in the passage of that law provision was made for the promulgation of regulations by the unit established in the Treasury for the administration of the law; and under the administration of that law we find not only our general laws but the Constitution of the United States flouted right and left. The whole theory of our Constitution guarding us in our persons and property from search and seizure except under proper conditions is thrown to the winds; and under the guise of the regulations issued under the terms of the Volstead Act we all know what goes on from day to day, and practically every day.

If that be true under the eighteenth amendment and the laws passed thereunder, what can we expect under this proposition when they are going to interfere directly in the family life between parent and child?

You say they are going to be reasonable. Let me read to the Senate a few extracts.

Some years ago the representatives of the Children's Bureau were going around asking for information. The Children's Bureau thought they had a moral power, although they did not even have a legal power, to make inquiry in regard to the welfare of children; and before the House Committee on Education, on January 12, 1921, Mr. Douglas L. Edmonds, of Los Angeles, testifying on behalf of the Public School Protective Leagues of California, Oregon, and Washington, stated:

Some two or three years ago the Children's Bureau undertook a campaign for the weighing and measuring of children, at least under 6 years of age. There was no legal authority for that; that is, it was not undertaken in pursuance of anything except the general authority of the Bureau.

Now, mark you, there was a bureau that had no legal authority for such actions.

Yet I know that in my own State the most extravagant claims were made in the course of that campaign. People who went out to secure the examination of these children threatened individual parents with arrest if they failed to comply.

Again, Mrs. A. M. McManamy, of Oregon, at the maternity act hearing before the Senate Committee on Education and Labor on April 27, 1921, testified that one of these baby inspectors actually pushed by her when told at the door that the baby was perfectly healthy and having its bath, saying:

Well, I must come in and see the baby and see that it is perfectly healthy, and I must be admitted.

Of course, if you please, you will say those are extreme cases; but they are not extreme cases in exemplifying what I have in mind. If people, without any semblance of authority, merely going around representing a United States bureau, could imagine that they were clothed with the power to thrust themselves into the family life of the people of this country, much more would people take that position under an amendment to the Constitution and acts of Congress authorizing them to do thus and so, with the regulations which naturally follow under the circumstances. We would have our whole family life torn up by this operation; and yet my good friend the Senator from Montana says that this thing is absurd, that the Supreme Court would guard us from the administration of any law that would be so foolish!

The Supreme Court has spoken on that subject as to what laws may be passed by Congress. The Supreme Court has recently recapitulated the decisions and summed up in a very clear and terse way what the powers of Congress are and what the powers of the Supreme Court are in interpreting the powers of Congress. On the 9th day of June, 1924, the Supreme Court of the United States handed down a decision in the case of *Everard's Breweries* against Day, prohibition director, and others. Mr. Justice Sanford delivered the opinion of the court. I am reading now from part of Mr. Justice Sanford's decision:

We come, then, to the question whether this act is within the power conferred upon Congress by the eighteenth amendment. By its terms the amendment prohibits the manufacture, sale, or transportation of intoxicating liquors for beverage purposes and grants to Congress the power to enforce this prohibition "by appropriate legislation."

Now, I ask you to note that the proposed amendment, the so-called child labor amendment, says "the Congress shall have power"; so the words are practically the same. Certainly the intended meaning is the same.



Mr. Justice Sanford goes on:

Its purpose is to suppress the entire traffic in intoxicating liquor as a beverage.

Then he quotes from cases, which I will not recite.

And it must be respected and given effect in the same manner as other provisions of the Constitution.

Again he quotes cases. Going on—

The Constitution confers upon Congress the power to make all laws necessary and proper for carrying into execution all powers that are vested in it.

That means vested in Congress.

In the exercise of such nonenumerated or "implied" powers it has long been settled that Congress is not limited to such measures as are indispensably necessary to give effect to its express powers, but, in the exercise of its discretion as to the means of carrying them into execution, may adopt any means appearing to it most eligible and appropriate, which are adapted to the end to be accomplished and consistent with the letter and spirit of the Constitution.

In other words, the Supreme Court again lays down the rule that not only is Congress fully clothed with every power when the Constitution so says it shall have power on a definite subject but by the implied clause of the Constitution it still has that power, and the court will sustain it in the exercise of that power.

Then the justice quotes a number of cases and, going on, says:

Furthermore, aside from this fundamental rule, the eighteenth amendment specifically confers upon Congress the power to enforce "by appropriate legislation" the constitutional prohibition of the traffic in intoxicating liquors for beverage purposes. This enables Congress to enforce the prohibition "by appropriate means."

It is likewise well settled that where the means adopted by Congress are not prohibited, and are calculated to effect the object intrusted to it, this court may not inquire into the degree of their necessity, as this would be to pass the line which circumscribes the judicial department and to tread upon legislative ground.

In other words, Mr. President, I dispute the attitude taken by my good friend from Montana, and say that the Supreme Court would say, "Whatever you pass in Congress to enforce the so-called child labor amendment, the twentieth amendment to the Constitution—no matter how silly, no matter how foolish it may seem—just so long as it comes within the power conferred by the Constitution upon Congress to pass laws touching upon the regulation, the prohibition, or the limitation of the employment of persons under 18 years of age, this court is powerless to step in and will not do so."

So I say we have proof positive here that if Congress were to pass such laws, the Supreme Court would do no more than say: "Those laws are within the purview of the Constitution. Those laws are perfectly proper, inasmuch as they are enabling acts under that phase of the Constitution."

The good Senator, in part of his speech, gave a certain tabulation of figures, and gave a recapitulation of the general history and sequence of the movement; but in it he has so worked around and so tossed from one end to the other the figures that I think he has confused himself. At this point I should like to place in the Record two tables, both of which were published by the majority committee in the House last year when it advocated the measure now known as the child labor amendment. One is a recapitulation of the figures taken from the Twentieth Census showing the number and per cent distribution, by occupations, of children 10 to 15 years of age, and the other is a tabulation of State laws relative to the employment of children in factories. I ask that those be spread upon the Record rather than having them read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

*Number and per cent distribution, by occupation, of children 10 to 15 years of age, inclusive, engaged in selected nonagricultural pursuits, for the United States, 1920<sup>1</sup>*

| Occupation  | Number  | Per cent distribution |
|---|---------|-----------------------|
| All nonagricultural pursuits.....                               | 413,549 | 100.0                 |
| Messenger, bundle, and office boys and girls <sup>2</sup> ..... | 48,028  | 11.6                  |
| Servants and waiters.....                                       | 41,586  | 10.1                  |
| Salesmen and saleswomen (stores) <sup>3</sup> .....             | 30,370  | 7.3                   |

<sup>1</sup> Fourteenth Census of the United States, 1920: Children in gainful occupations (not yet published; figures furnished by courtesy of the United States Bureau of the Census).

<sup>2</sup> Except telegraph messengers.

<sup>3</sup> Includes clerks in stores.

*Number and per cent distribution, by occupation, of children 10 to 15 years of age, inclusive, engaged in selected nonagricultural pursuits, for the United States, 1920—Continued.*

| Occupation                                    | Number  | Per cent distribution |
|---|---------|-----------------------|
| Clerks (except clerks in stores).....         | 22,521  | 5.4                   |
| Cotton-mill operatives.....                   | 21,875  | 5.3                   |
| Newsboys.....                                 | 20,706  | 5.0                   |
| Iron and steel industry operatives.....       | 12,904  | 3.1                   |
| Clothing-industry operatives.....             | 11,757  | 2.8                   |
| Lumber and furniture industry operatives..... | 10,585  | 2.6                   |
| Silk-mill operatives.....                     | 10,023  | 2.4                   |
| Shoe-factory operatives.....                  | 7,545   | 1.8                   |
| Woolen and worsted mill operatives.....       | 7,077   | 1.7                   |
| Coal-mine operatives.....                     | 5,850   | 1.4                   |
| All other occupations.....                    | 162,722 | 39.3                  |

#### STATE LAWS RELATIVE TO EMPLOYMENT OF CHILDREN IN FACTORIES

Alabama, prohibited under 14.  
 Arizona, prohibited under 14: (Exception, boy 10 to 14 may, upon license, outside school hours, work at labor not harmful.)  
 Arkansas, prohibited under 14.  
 California, prohibited under 15. (Exception, child 12 during school vacation.)  
 Colorado, prohibited under 14. (Exception, child 12 during summer vacation.)  
 Connecticut, prohibited under 14.  
 Delaware, prohibited under 14. (Exception, child 12 outside school term on special permit.)  
 Florida, prohibited under 14.  
 Georgia, prohibited under 14. (Exception, child 12 on permit if orphan or has widowed dependent mother.)  
 Idaho, prohibited under 14.  
 Illinois, prohibited under 14.  
 Indiana, prohibited under 14.  
 Iowa, prohibited under 14.  
 Kansas, prohibited under 14.  
 Kentucky, prohibited under 14.  
 Louisiana, prohibited under 14.  
 Maine, prohibited under 15.  
 Maryland, prohibited under 14.  
 Massachusetts, prohibited under 14.  
 Michigan, prohibited under 15.  
 Minnesota, prohibited under 14.  
 Mississippi, girl prohibited under 14, boy 12.  
 Missouri, prohibited under 14.  
 Montana, prohibited under 16.  
 Nebraska, prohibited under 14.  
 Nevada, prohibited under 14.  
 New Hampshire, prohibited under 14.  
 New Jersey, prohibited under 14.  
 New Mexico, prohibited under 14.  
 New York, prohibited under 14.  
 North Carolina, prohibited under 14: (Exception, boy 12 on special permit outside school hours. Only 66 so employed during 1923.)  
 North Dakota, prohibited under 14.  
 Ohio, prohibited under 16. (Exception, child 14 outside school term.)  
 Oklahoma, prohibited under 14.  
 Oregon, prohibited under 14. (Exception, child 12 outside of school term.)  
 Pennsylvania, prohibited under 14.  
 Rhode Island, prohibited under 14.  
 South Carolina, prohibited under 14.  
 South Dakota, prohibited under 15.  
 Tennessee, prohibited under 14.  
 Texas, prohibited under 15.  
 Utah, prohibited under 14.  
 Vermont, prohibited under 14.  
 Virginia, prohibited under 14.  
 Washington, prohibited under 14. (Exception, child 12 on permit of superior court judge in case of poverty.)  
 West Virginia, prohibited under 14.  
 Wisconsin, prohibited under 14. (Exception, child 12 during school vacation.)  
 Wyoming, prohibited under 14.

Mr. BAYARD. I would only say in passing, to exemplify what I mean, that the Senator from Montana spoke about there being 175,000 children employed in the factories. If he will but read the figures, he will find that he is something like 100,000 too large in that figure alone.

Now, Mr. President, one more point and I am through.

The Senator from Montana, toward the end of his speech, said:

At every turn in the road the sordid nature of the organized opposition to the amendment is revoltingly made manifest.



I have the honor to represent in part a sovereign State. My State, I think, in its senate will refuse to ratify this amendment by the votes of all save one. The house has voted unanimously against it. I do not think there will be any change. I think the senate may be unanimous in its refusal to ratify it. Whether or not the Senator from Montana meant to refer to the good people of my State when he said that, or the movement among the good people of my State, I do not know; but if he did, I certainly resent it, and I think the vote of the people of my State expresses to him what they think about this movement. I do not consider the people of my State, and I do not know anybody who does consider them, either, of a sordid nature, nor is their action to be considered revolting action.

I have in my hand a long list of organizations opposed to the twentieth amendment. It is too long for reading, and I ask unanimous consent that it may be spread in the Record at this point of my remarks.

The PRESIDENTIAL OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

#### THE 116 ORGANIZATIONS OPPOSED TO TWENTIETH AMENDMENT

The following is a partial list of organizations and prominent persons who have expressed opposition to ratification of the proposed twentieth amendment to the Constitution of the United States, commonly, though inaccurately, referred to as the "child-labor" amendment.

This list is compiled from various sources and is believed to be entirely correct. All of the organizations listed are reported as having taken official action on this matter. In addition, there are numerous organizations whose officers, in their individual capacities, have declared against ratification:

#### CONSTITUTIONAL AND PATRIOTIC ORGANIZATIONS

Advocates of the Constitution, Philadelphia, Pa.  
American Constitutional League, 27 William Street, New York City.  
Daughters of the American Revolution Executive Board, 15 West Thirty-seventh Street, New York City.  
George Junior Republic, Freeville, N. Y.  
Good Government Club, Topeka, Kans.  
Maryland Bar Association, Baltimore, Md.  
Maryland League for State Defense, 701 Maryland Trust Building, Baltimore, Md.  
Maryland Women's Constitutional League, 1209 St. Paul Street, Baltimore, Md.  
Massachusetts Citizens' Committee to Protect Our Homes and Children, 210 Newbury Street, Boston, Mass.  
Massachusetts Public Interests League, 210 Newbury Street, Boston, Mass.  
New York Committee to Protect Our Homes and Children, Syracuse, N. Y.  
Sentinels of the Republic, Home Life Building, Washington, D. C.  
Tennessee Society, Sons of the American Revolution.  
West Virginia Bar Association, Wheeling, W. Va.  
Virginia Women's Constitutional League, rural route 4, Hampton, Va.

#### AGRICULTURAL ORGANIZATIONS

American Farm Bureau Federation and 38 State farm bureaus, 58 North Washington Street, Chicago, Ill.; also additional special resolutions have been passed by:

Kentucky Farm Bureau Federation.  
Minnesota Farm Bureau Federation.  
Missouri Farm Bureau Federation.  
Nebraska Farm Bureau Federation.  
Ohio Farm Bureau Federation.  
New York State Farm Bureau Federation.  
National Grange, Patrons of Husbandry.  
California State Grange.  
Connecticut State Grange.  
Cleveland Fruit Growers' Association.  
Delaware State Grange.  
Idaho State Grange.  
Illinois State Grange.  
Indiana State Grange.  
Iowa State Grange.  
Kansas State Grange.  
Maine State Grange.  
Maryland State Grange.  
Massachusetts State Grange.  
Michigan State Grange.  
Michigan State Horticultural Society.  
Nebraska State Grange.  
New Hampshire State Grange.  
New Jersey State Grange.  
New York State Grange.  
Ohio State Grange.

Oklahoma State Grange.  
Pennsylvania State Grange.  
Rhode Island State Grange.  
South Dakota State Grange.  
Vermont State Grange.  
West Virginia State Grange.  
Wisconsin State Grange.  
Farmers' State Rights League, Troy, N. C.  
Lehigh County Agricultural Extension Association, Allentown, Pa.

#### LOCAL RELIEF ORGANIZATIONS

Orphan Asylum Society of the City of Brooklyn, N. Y.  
Women's Health Protective Association of Brooklyn, Brooklyn, N. Y.  
Brooklyn Home for Consumptives, Brooklyn, N. Y.

#### INDUSTRIAL AND COMMERCIAL ORGANIZATIONS

National Association of Manufacturers, New York City.  
National Industrial Council, New York City.  
National Committee for Rejection of Twentieth Amendment, 913 Union Trust Building, Washington, D. C.  
Laundry Owners National Association, box 202, La Salle, Ill.  
American Mining Congress, Munsey Building, Washington, D. C.  
American Cotton Manufacturers Association.  
New England Shoe and Leather Association.  
American Association of Flint and Lime Glass Manufacturers.  
Chamber of Commerce of State of New York, New York City.  
Rochester (N. Y.) Chamber of Commerce, Rochester, N. Y.  
Wilmington (Del.) Chamber of Commerce, Wilmington, Del.  
American Paper and Pulp Association, 18 East Forty-first Street, New York City.  
Associated Industries of Alabama, 1215 American Trust Building, Birmingham, Ala.  
California Manufacturers Association, First National Bank Building, Oakland, Calif.  
Colorado Manufacturers and Merchants Association, City Auditorium Building, Denver, Colo.  
The Manufacturers Association of Connecticut (Inc.), 50 Lewis Street, Hartford, Conn.  
Manufacturers Association of Wilmington, 4 West Ninth Street, Wilmington, Del.  
Georgia Manufacturers Association, 1127 Candler Building, Atlanta, Ga.  
Associated Industries of the Inland Empire, Eihlers Building, Spokane, Wash.  
Illinois Manufacturers Association, 231 South La Salle Street, Chicago, Ill.  
Indiana Manufacturers Association, Consolidated Building, Indianapolis, Ind.  
Iowa Manufacturers Association, Crocker Building, Des Moines, Iowa.  
Associated Industries of Kansas, 407 Mulvane Building, Topeka, Kans.  
Associated Industries of Kentucky, 76 Kenyon Building, Louisville, Ky.  
Louisiana Manufacturers Association, 1407 Whitney Bank Building, New Orleans, La.  
Associated Industries of Maine, 178 Middle Street, Portland, Me.  
Baltimore Association of Commerce, 20 Light Street, Baltimore, Md.  
Associated Industries of Massachusetts, 950 Park Square Building, Boston, Mass.  
Minnesota Employers Association, Builders Exchange Building, St. Paul, Minn.  
Associated Industries of Missouri, 1306 Boatmen's Bank Building, St. Louis, Mo.  
Associated Industries of Montana, 305 Lewisohn Building, Butte, Mont.  
Nebraska Manufacturers Association, 212 North Eleventh Street, Lincoln, Nebr.  
New Hampshire Manufacturers Association, 83 Hanover Street, Manchester, N. H.  
Manufacturers Association of New Jersey, 175 West State Street, Trenton, N. J.  
Associated Industries of New York State (Inc.), Iroquois Building, Buffalo, N. Y.  
Ohio Manufacturers Association, 66 South Third Street, Columbus, Ohio.  
Oklahoma Employers' Association, 1004 Oil Exchange Building, Oklahoma City, Okla.  
Manufacturers and Merchants' Association of Oregon, 510 Oregon Building, Portland, Oreg.  
Pennsylvania Manufacturers' Association, 2001 Finance Building, Philadelphia, Pa.  
Employers' Association of Rhode Island, 420 Butler Exchange, Providence, R. I.  
Manufacturers and Employers' Association of South Dakota, Sioux Falls, S. Dak.



Tennessee Manufacturers' Association, Stahlman Building, Nashville, Tenn.  
 Utah Associated Industries, 215 Kearns Building, Salt Lake City, Utah.  
 Associated Industries of Vermont, Willard Block, 72 Main Street, Montpelier, Vt.  
 Virginia Manufacturers' Association, 722 American National Bank Building, Richmond, Va.  
 Federated Industries of Washington, American Bank Building, Seattle, Wash.  
 West Virginia Manufacturers' Association, Fairmont, W. Va.  
 Wisconsin Manufacturers' Association, 705 First Central Building, Madison, Wis.

#### MISCELLANEOUS ORGANIZATIONS

County Commissioners' Association of Idaho.  
 Mothers' National Council, Washington, D. C.  
 State Child Welfare Commission of North Carolina, statehouse, Raleigh, N. C.  
 State Labor Commission of Georgia, statehouse, Atlanta, Ga.  
 Women's Republican Club (Inc.), New York City.  
 Federation of Democratic Women, Baltimore, Md.  
 Philadelphia Federation of Women's Clubs.  
 Moderation League of New York, New York City.  
 Republican Women of Pennsylvania.  
 National Commercial Teachers' Federation.  
 Kentucky city and county school superintendents and teachers.  
 Playground Association of America, New York City.  
 St. Joseph (Mich.) Federation of Women's Clubs.

#### ONE HUNDRED AND THIRTY-FOUR PROMINENT CLERGYMEN, EDUCATORS, AND OTHERS OPPOSED TO THE AMENDMENT

##### CLERGYMEN

Rev. Anson P. Atterbury, D. D., New York City.  
 Bishop William Burt, Methodist Episcopal Church, Clifton Springs, N. Y.  
 Bishop Warren A. Candler, Methodist Episcopal Church, Atlanta, Ga.  
 Dr. A. Z. Conrad, Congregationalist, Boston, Mass.  
 Rev. Howard Duffield, D. D., New York City.  
 Rev. Edward H. Griffin, D. D., dean emeritus, Johns Hopkins University, Baltimore, Md.  
 Rabbi Nathan Krass, Temple Emanu-El, New York City.  
 Bishop William Lawrence, Episcopal Bishop of Massachusetts.  
 Rev. Arthur S. Lloyd, Episcopal Suffragan Bishop of New York.  
 Dr. E. Y. Mullins, Louisville, president Baptist Theological Seminary; president Baptist World Alliance (Doctor Mullins is said to hold the two highest offices in the gift of the Baptist Church).  
 William Cardinal O'Connell, Catholic Archbishop of Boston. (Cardinal O'Connell is the ranking Roman Catholic prelate in the United States.)  
 Archdeacon B. M. Spurr, Moundsville, W. Va.  
 Right Rev. C. E. Woodcock, Episcopal Bishop of Kentucky, Louisville.  
 The Presbyterian, Philadelphia, was one of the first religious organs to oppose the twentieth amendment. It undoubtedly represents the views of hundreds of clergymen of that faith. This publication would welcome additional names of prominent clergymen opposing the amendment.

##### EDUCATORS

Dr. Homer Albers, dean Boston University Law School.  
 Dr. Nicholas Murray Butler, president Columbia University.  
 Rev. William Beylin, president Boston College.  
 Dr. Livingston Farrand, president Cornell University.  
 Dr. Arthur T. Hadley, president emeritus Yale University.  
 Joseph Lee, president Playground and Recreation Association, Boston.  
 Dr. A. Lawrence Lowell, president Harvard University.  
 Prof. J. Gresham Machen, Princeton Theological Seminary.  
 Sidney E. Mezes, president College of the City of New York.  
 Dr. Henry S. Pritchett, president Carnegie Foundation for Advancement of Teaching.  
 Dr. Samuel Wesley Stratton, president Massachusetts Institute of Technology.  
 Dr. Josiah Penniman, president University of Pennsylvania.  
 William M. Salter, former lecturer on philosophy, University of Chicago; member from the start of National Child Labor Committee.  
 Dr. Henry Van Dyke, Princeton University, former minister to the Netherlands.

##### JUDGES AND LAWYERS

Willard J. Banyon, St. Joseph, Mich.  
 Former United States Senator Joseph W. Bailey of Texas, Dallas, Tex.  
 Hon. George Stewart Brown, United States Court of Customs, New York City.  
 Judge Frederick B. Cabot, juvenile court, Boston, Mass.  
 Thomas F. Cadwalader, secretary Maryland League for State Defense.

Sampson R. Child, Minneapolis, Minn.  
 Justice Vernon M. Davis, New York Supreme Court.  
 Judge Watson T. Dunmore, Utica, N. Y.  
 Senator George Arnold Frick, chairman judiciary committee, Maryland Senate.  
 William W. Grant, jr., president Colorado Bar Association.  
 Judge George Henderson, orphans' court, Philadelphia, Pa.  
 Judge Frank P. Irvine, professor of law, Cornell University.  
 Willis R. Jones, assistant attorney general of Maryland.  
 Hon. George E. Judge, judge children's court, Buffalo, N. Y.  
 Judge Oscar Leser, Maryland State Tax Commission, Baltimore, Md.  
 Alexander Lincoln, assistant attorney general of Massachusetts.  
 Hon. William Caleb Loring, former justice, Supreme Judicial Court of Massachusetts; speaker Massachusetts House of Representatives.  
 William L. Marbury, Baltimore, Md.  
 Louis Marshall, New York City.  
 Thomas R. Marshall, former Vice President of the United States.  
 Hon. Clarence E. Martin, president West Virginia Bar Association.  
 Iridell Meares, Washington, D. C.  
 Judge Edgar S. Mosher, Auburn, N. Y.  
 Hon. Morgan J. O'Brien, New York, former justice, New York Supreme Court.

Judge Alton B. Parker, president National Civic Federation, New York.

Herbert Parker, former attorney general of Massachusetts.  
 Frank L. Peckham, commander District of Columbia Department, American Legion, and vice chairman Sentinels of the Republic.  
 William L. Rawls, Baltimore, Md.  
 Fred W. Reed.  
 Former United States Senator Hoke Smith, of Georgia, Washington, D. C.

Former United States Senator Charles S. Thomas, of Colorado, Washington, D. C.

Frederick W. Wadhams, Albany, N. Y.  
 Hon. Henry Galbraith Ward, New York, United States circuit judge.  
 Everett P. Wheeler, president American Constitutional League, chairman committee on jurisprudence and law reform, American Bar Association.

George W. Wickersham, former Attorney General of the United States.

Ira Jewell Williams, Philadelphia, Pa.  
 Hon. Munroe Smith, professor of jurisprudence, Columbia University.

NOTE.—Members of Congress opposing the amendment were listed in this publication July 1, 1924.

##### SOME WOMEN OPPONENTS

Miss Nila F. Allen, former chief, child labor tax division, Bureau of Internal Revenue. (Miss Allen administered the second Federal child labor law and is the country's greatest expert on child labor conditions.)

Miss Eliza D. Armstrong, Pittsburgh, Pa., former president Pennsylvania Consumers' League, former member national child labor committee.

Mrs. John Balch, secretary Sentinels of the Republic, chairman home service section, American Red Cross for New England during the war, also chairman relief for European children during the war.

Mrs. B. W. Bayless, president Kentucky Federation of Women's Clubs, Louisville.

Mrs. Henry W. Burnett, president Louisville Women's Club, Louisville, Ky.

Miss Sarah Schuyler Butler, vice chairman Republican State central committee of New York.

Mrs. August Dreyer, president Orphan Asylum Society of the city of Brooklyn, oldest organization caring for children in Brooklyn, established 1833.

Mrs. A. E. Fraser, president Women's Health Protective Association, of Brooklyn.

Mrs. Randolph Frothingham, donor and head of Emanuel Memorial House Settlement, Boston.

Gov. Miram A. Ferguson, of Texas.

Mrs. Rufus M. Gibbs, legislative chairman Maryland Federation of Democratic Women.

Anna Katherine Green, novelist, Buffalo, N. Y.

Mrs. E. R. Hanford, Boise, Idaho.

Mrs. Reuben Ross Holloway, Baltimore, president Women's Constitutional League of Maryland.

Mrs. Charles I. Martin, president Military Sisterhood of the World War, also president Kansas Women Lawyers' Association, and assistant attorney general of Kansas.

Mrs. George Madden Martin, writer, Louisville, Ky.

Dr. Anna Moon Randolph, Hampton, Va., secretary Women's Constitutional League of Virginia.

Mrs. Lila Day Monroe, editor Kansas Woman's Journal, Topeka.

Mrs. B. L. Robinson, president Massachusetts Public Interests League.



Mrs. William A. Putnam, Brooklyn, noted leader in child-welfare activities.

Mrs. William Lowell Putnam, pioneer in child-welfare work, initiated the earliest scientifically conducted prenatal care in the world; president American Child Hygiene Association, 1918, and for many years on board of directors of this association; national chairman Women's Coolidge-Dawes Clubs.

Mrs. Charles H. Sabin, member executive committee, Republican National Committee, Republican national committeewoman for New York State.

Mrs. Francis E. Slaterry, president Massachusetts League of Catholic Women.

Mrs. Allyn Williams, author, Washington, D. C.

Mrs. Constance Williams, daughter of former Senator Lodge.

#### HEADS OF NATIONAL ORGANIZATIONS

Oscar E. Bradfute, president American Farm Bureau Federation, Chicago.

Louis A. Coolidge, president Sentinels of the Republic, Boston.

Martin H. Lewis, president National Society of the Sons of the American Revolution, Louisville.

S. Stanwood Menken, president National Security League, New York.

Alton B. Parker, president National Civic Federation, New York.

Louis J. Taber, master National Grange, Patrons of Husbandry, Columbus.

Everett P. Wheeler, chairman American Constitutional League, New York.

#### MISCELLANEOUS INDIVIDUALS

Prof. Wilbur C. Abbott, professor of history at Harvard University, author of *Conflict with Oblivion* and *The New Barbarians*.

Mrs. F. Lothrop Ames, legislative chairman Massachusetts branch of the National Civic Federation, woman's department.

Mrs. LeBaron Briggs, wife of the former president of Radcliffe College.

Henry B. Cabot, lawyer; treasurer of the Family Welfare Society.

Russell Sturgis Codman, lawyer; trustee, Harvard Loan Fund; trustee for the Society for Relief of Widows and Orphans of Clergymen of the Protestant Episcopal Church.

Louis A. Coolidge, Assistant Secretary of the United States Treasury 1908-9; chairman welfare department National Civic Federation; member Federal Shipbuilding Wage Adjustment Board; director Community Service of Boston; delegate at large to Massachusetts Constitutional Convention of 1917; founder, vice president, and director of Bunker Hill Boys' Club; author of *Life of U. S. Grant* and other books.

Ralph Adams Cram, architect and author; ex-president Boston Society of Architects; member of American Academy of Arts and Sciences, etc.; Litt. D. Princeton, 1910; LL. D. Yale, 1915.

Mrs. Frederick Cunningham, for years manager of the Church Home for Children (Episcopalian); former district officer Family Welfare Society; director Anti-Tuberculosis Association, Brookline.

Mrs. George R. Fearing, former president League of Women Voters.

L. Carteret Fenno, National Civic Federation; member surgical dressings committee.

William A. Gaston, lawyer and prominent Democrat.

Miss Hope Gray, president of the Overseas League.

Prof. Edwin N. Hall, professor of physics at Harvard University; author of scientific works; fellow American Academy Arts and Sciences.

Miss Heloise E. Hersey, author, educator, and lecturer.

Arthur D. Little, chemical engineer and inventor; founder of the School of Chemical Engineering of Massachusetts Institute of Technology; member of National Research Council.

Mrs. Harold Murdock, many years president Bethesda Society for Rescue Work among girls, and at present member of its executive board; chairman patriotism committee of the N. E. Branch of National Civic Federation; member Society of Colonial Wars.

Harold Murdock, historian, Massachusetts Historical Society; Bostonian Society, etc.; fellow, American Academy Arts and Sciences.

Frederick W. Willspaugh, vice president general National Society, Sons of the American Revolution.

Dr. William J. Mixer, surgeon, consulting surgeon Massachusetts General Hospital and the Massachusetts Charitable Eye and Ear Infirmary; Lieutenant colonel Medical Reserve Corps, 1919.

Herbert Myrick, editor in chief of *Farm and Home* (Springfield, Mass., and Chicago) and of the *New England Homestead*, Springfield, Mass.; author of works on agriculture and on education.

Herbert Parker, lawyer; former attorney general of Massachusetts; vice president Boston Bar Association.

Thomas W. Proctor, lawyer; president Massachusetts Bar Association; vice president Boston Bar Association.

Dr. Benjamin E. Robinson, physician, representing the colored residents of Massachusetts.

Henry L. Shattuck, lawyer; member of Massachusetts Legislature; former member of Massachusetts child labor committee.

Leslie R. Smith, director of the division of reclamation, soil survey, and fairs for Massachusetts agricultural department.

George F. Swain, consulting engineer; professor, Massachusetts Institute of Technology; professor, Harvard Engineering School; member, advisory delegation of American engineers sent to France in 1918.

Hon. Charles D. Washburn, lawyer; Member of Congress 1906-11; member of Massachusetts constitutional convention of 1917.

Moorfield Storey, lawyer; former president Boston Bar Association; president Civil Service Reform Club; president of National Association for the Advancement of Colored People; honorary president Indian Rights Association; ex-president American Bar Association.

Mrs. Nathaniel Thayer, director Immigration and Americanization for Massachusetts.

Elihu Thomson, electrical engineer and inventor; member of National Research Council.

Bentley W. Warren, lawyer; member of Massachusetts civil service committee; trustee of Williams College.

Mrs. John W. Weeks, wife of Secretary Weeks, of War Department.

George Bramwell Baker, president Bunker Hill Boys' Club.

Dr. Morton Prince, physician, neurologist, author.

Caroline Ticknor, author and journalist.

Dr. George G. Sears, clinical professor, Howard Medical School; consulting physician, Boston City Hospital.

George A. Sweetser, lawyer; counsel for the town of Wellesley 1907-1911; director, Wellesley Cooperative Bank; director, Florence Crittenton League of Compassion (a rescue society for wayward girls).

Right Rev. William Lawrence, advisory board Massachusetts child labor committee; bishop of Protestant Episcopal churches in Massachusetts.

D. Chauncey Brewer, president Massachusetts Society for Protection of the Immigrant.

Howard W. Brown, former member Massachusetts child labor committee.

#### KENTUCKY TEACHERS OPPOSE TWENTIETH AMENDMENT

The city and county school superintendents and teachers of Kentucky in conference at Frankfort, Ky., December 18, 1924, adopted the following resolution:

"Whereas we, the superintendents and teachers of the counties and cities of Kentucky, in Frankfort assembled, believe in the sovereignty of the individual and in the right of each State of this Union to regulate its internal affairs; and

"Whereas all States now have some form of child labor laws that are being improved from time to time to meet the demands peculiar to each State: Therefore be it

"Resolved by the superintendents and teachers here assembled, That we go on record as opposed to the twentieth (child labor) amendment to our Federal Constitution, which provides that Congress shall have power to limit, regulate, and prohibit the labor of persons of the United States under 18 years of age."

#### KENTUCKY FARM BUREAU OPPOSED

The Kentucky Farm Bureau Federation, meeting in Louisville December 19, 1924, adopted a resolution calling upon all of its 6,000 members to bring pressure to bear on their representatives in the Kentucky Legislature to the end that ratification of the amendment be prevented.

Mr. BAYARD. In addition to this, I mentioned a moment ago the fact that the granges throughout the country are also opposed to this movement. Of course, I have not a list of them. There are some thousands of them. I am quite sure that upon reflection the Senator from Montana would not accuse the individual granges, the State granges, or the National Grange of this country of having a membership which, merely because it is opposed to the movement which he advocates, is either sordid or revolting; and yet he has allowed himself to express himself in those terms, which I can not understand he should apply to people of such standing in our community as members of the grange or the people appearing on the list which I have given here.

I do not know exactly what the purpose of the Senator from Montana was when he delivered that speech. He did not speak at large on the question when it was up last spring, perhaps because he felt that the movement would prevail so far as Congress was concerned. But he has seen fit, when the campaign is opened by the meeting of the legislatures of the several States, or so many of them, since the first of this year for the ratification or rejection of the proposed amendment, to come out at this time and to deliver what I submit, with due courtesy to him, to be a very impassioned speech against all those who advocate the rejection of the amendment. His speech, of course, has gone broadcast throughout the land.

I may say, in closing, that I think the Senator is mistaken in his views. I say that with all good nature and courtesy toward him. Another thing, I think the agitation of this question perhaps has been a wise one, and in a way I am very thankful to the Senator, and I have so expressed myself. He has given me an opportunity to bring before the Members of



the Senate and before the country, if I can, in my small way, a knowledge of the movement that is going on under the guise of the so-called child labor amendment, so that the people of this country may realize just exactly what will result if we concentrate in the Federal Government the control of the family life up to the time the children arrive at their eighteenth birthdays.

O Mr. President, so many people have said to me, regardless of party, within and without my own State, since the passage of this amendment, "Can not something be done to prevent the United States Government coming between parent and child?"

I believe that the legislatures of the States now in session will answer that question in no uncertain way.

#### POSTAL SALARIES AND POSTAL RATES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3674) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes.

Mr. COPELAND. Mr. President, I am obliged to leave the Chamber in a few moments, and will be away to-morrow; so, out of order, I want to ask the chairman of the subcommittee, the Senator from New Hampshire, about the provisions of the bill covering fourth-class mail matter. There are in my State a great many seed-growing concerns, which send out elaborate catalogues, which are carried at the rate of 2 ounces for a cent. They send a 6-ounce catalogue for 3 cents.

Under the terms of the bill proposed, any catalogue mail parcel weighing more than 4 ounces will be thrown into the fourth class and will there be charged for at 5 cents per pound or any fraction thereof, plus a service charge of 2 cents, which would mean that the charge on a 6-ounce package would be about 7 cents, instead of 3 cents, as at present. Of course, that would bring down the income of the Government, in my judgment, because instead of sending out a 6-ounce package, getting the new rate of 7 cents, there would be three 2-ounce pamphlets sent out at 1 cent each. So we would still get but 3 cents, the present rate, and not the 7 cents contemplated by the committee. I hope there may be some revision of thought as regards that proposal on the part of the committee.

Mr. MOSES. Mr. President, in view of the fact, as I understand, that the Senator from New York has engagements which it is necessary for him to keep and he will not be able to follow this debate if it is unduly prolonged, I will anticipate with reference to section 207 and say that, so far as paragraph (a) of section 207 is concerned, the committee sought merely to make uniform packages up to 4 ounces in both the third and fourth classes. There have been many recommendations from Postmasters General ever since the fourth-class mail matter was instituted looking toward the consolidation of the two classes of mail, and the committee, knowing these rates to be only temporary and experimental, had in mind to make a classification which would, in effect, consolidate the fourth and the third classes up to 4 ounces.

That, however, is not the point upon which the Senator from New York has placed his emphasis. The emphasis which he makes, as I understand it, is with reference to paragraph (b), on page 43. I will say frankly to the Senator that this is one of the two places in the bill as now before the Senate wherein an error has arisen in the printing, the error not being due to the printer, but due to the fact that the subcommittee in making its amendments were using an imperfect print of a portion of the bill. It is the purpose of the subcommittee, when paragraph (b) of section 207, on page 43, is reached, to perfect the amendment by striking out the word "four" and inserting the word "eight," so that there will be an 8-ounce maximum for books, catalogues, seeds, cuttings, bulbs, roots, scions, and plants.

That, as I understand it, was the chief point to which the Senator from New York was directing his criticism. That will be cared for by a committee amendment when we reach it.

Mr. COPELAND. Mr. President, I thank the Senator for his explanation.

Mr. MOSES. I ought to add that the attention of the chairman of the subcommittee was most emphatically called to this prior to the remarks of the Senator from New York by a member of the subcommittee, the Senator from Georgia [Mr. GEORGE], who left the city at the time of the hearings under the impression that the figure was to be left at 8 ounces instead of 4.

Mr. COPELAND. I am very glad that this change is to be made. The Senator from New Hampshire said that there had

been a mistake in the committee print. Perhaps he will give us the satisfaction of hoping that perhaps there have been mistakes with reference to other features of the bill, so that we can have a more perfect bill before we get through.

Mr. MOSES. I am glad to have the great intellectual cooperation of the Senator from New York on any matter.

Mr. COPELAND. I thank the Senator.

#### THE OWNBEY CASE

Mr. HEFLIN. Mr. President, a little while ago, while I was out of the Chamber at lunch, my good friend the Senator from Delaware [Mr. BAYARD] made a statement regarding a reference I made on yesterday to the courts in his State. I stated that the judges who considered the Ownbey case in the lower court also sat in the supreme court when the final decision was rendered. I was in error in stating that the judges who sat in the lower court sat in the supreme court when final action was taken. I got my impression from the argument made by Colonel Ownbey's lawyer before the supreme court, in which he said:

There was an opinion by the court sitting in banc in the superior court, the judges being the same judges who sat also in the supreme court.

As I understand it, the suit was instituted in the superior court, where there were two judges, and the case was referred by those two judges to the court in banc, where other judges were invited to sit. This court sitting in banc determined the issue at stake and certified it, with their judgment, back to the two judges who sat originally. Mind you, Mr. President, the two judges sat with these other judges concerning this case and with them rendered a judgment about the case and referred it back to themselves with the judgment which they had helped to render. Sitting in that court in banc were judges who did finally sit on the supreme court determining the case. So there is not very much difference between that situation and what I said originally. But the fact is, as I understand, that the two judges who sat when the case was first instituted did not sit finally on the supreme bench when the action was finally had by the court in Delaware. I am glad that my good friend has called attention to that, because I had no desire whatever to mislead the Senate or the country about it.

Mr. BAYARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Delaware?

Mr. HEFLIN. I yield.

Mr. BAYARD. I do not know whether the Senator from Alabama was here a little while ago when I rose and made an explanation.

Mr. HEFLIN. I have just referred to my absence at lunch at the time.

Mr. BAYARD. I said that the Senator was entirely innocent of any intent to make a misstatement, that he had been misinformed from beginning to end, and that that was the reason why he made the statement.

Mr. HEFLIN. I was just referring to that. I was out at lunch when the Senator made his statement. I am glad he did make that statement, although a part of my contention is correct, that the judges who sat in banc determining this matter in the outset, who denied Colonel Ownbey the right to be heard, were also some of the judges who sat on the supreme court, acting again on the very question that was involved at the outset.

As to the other matter, I can not agree with my good friend from Delaware about the judges not being able to do other than they did in sustaining a statute of his State, called the "custom of London." I stated on yesterday, and I desire to state again, that if I had been one of the judges, when I saw that that statute denied the defendant the right to come in and plead and be heard, I would have held it unconstitutional. I would have said that it ran counter to amendments 5 and 14 of the Constitution, which provide for due process of law. Then if those who instituted the suit had not liked my ruling, I would have permitted them to take the case to the Supreme Court, as I said on yesterday, and that court could have decided whether my ruling was right when I held that any act ought to be set aside which would deny an American citizen the right to come in and be heard.

Mr. BAYARD. Mr. President, may I suggest to the Senator that he is referring now to the petition of Colonel Ownbey to come into court after the act had been amended? Is that right?

Mr. HEFLIN. Yes.

Mr. BAYARD. The Senator has forgotten, I think, the fact that the judgment, in the first place, was taken in the superior court, which was affirmed by the Delaware Supreme Court,



and that, in turn, upon a writ of certiorari, was affirmed by the United States Supreme Court. The judgment stood. Then, when Colonel Ownbey sought to come in and obtain advantage of the amendment which had been made, which was retroactive, he was met by the Superior Court of Delaware with the statement, "This is a judgment, and a judgment can not be impinged upon in any way, shape, or form by any retroactive act, for two reasons: In the first place, the Federal Constitution forbids the passage of any ex post facto law; in the second place, a solemn act of the court can not be impinged upon by the legislature."

Those were two outstanding, universally known principles of legal practice the court was bound to recognize. It was not for the court, on its humanitarian side, to say, "Oh, well, we will give Colonel Ownbey a chance and let him take the case up." They knew ab initio, by the simplest canons of construction that this was a solemn judgment and could not be impinged upon by that act. I think, if I may say so to the Senator, that it would have been unfair and unjust for them to lead Colonel Ownbey astray by undertaking to say something was constitutional when they must have known, if they were competent to sit on a court, that it was wholly unconstitutional.

Mr. HEFLIN. I am contending that in the outset the two judges who sat on the court below, when they certified the case up to the court in banc, should have declared it unconstitutional, for it denied that man the right to come in and be heard because he could not put up a bond of \$200,000. I think the Senator is in error when he says that the supreme court had acted on this case before they made an effort to reopen it, because the case was up here in 1920, and the amendment was adopted in Delaware, I think, in 1919.

Mr. BAYARD. It was after the supreme court of our State had spoken.

Mr. HEFLIN. I am talking about the supreme court of the Senator's State, but not the Supreme Court here.

Mr. BAYARD. That is true.

Mr. HEFLIN. After the legislature of the Senator's State acted, as I am informed, and acted for the purpose of opening this particular case, Mr. Neely, one of the lawyers for Colonel Ownbey, appeared before the legislature and told them that this man had not been treated fairly, and so forth—that is the substance of the statement to me—and the legislature passed that act, or rather amended the statute striking out the part which required him to make the bond of \$200,000 and giving him the right to come in. When they went before the court for Colonel Ownbey and moved to reopen the case and permit him to come in, the court could have determined then, because of the fundamental principles of right and justice involved, that they would permit the case to be opened and allow the Supreme Court to decide whether that act was in conflict with the fifth and fourteenth amendments to the Constitution.

Mr. BAYARD. May I interrupt the Senator to say that I think he disregards this fact? It is the regular practice in an inferior or nisi prius court in all States to bow to the determination of a superior court or court of last resort in all those States when the court of last resort has determined the specific question. This specific question had been determined by the Supreme Court of Delaware, the court of last resort.

So when, after the amendment of this particular statute was had, Colonel Ownbey came back again in court he was met with two things. One was that the Legislature of the State of Delaware could not pass a law impinging on a judgment, and the second was that the judgment had been confirmed by the court of last resort in the State of Delaware. I do not see how the nisi prius court of Delaware is subject—and I say it with greatest respect to the Senator—to criticism at the hands of the Senator from Alabama or anybody else. It was doing alone what it should do. It would have been a stupid, foolish thing for the superior court in this case to say the act was unconstitutional, because it would only have resulted in putting Colonel Ownbey to the expense of again going over the same thing, when it knew and everybody knew the result would be the same.

Mr. HEFLIN. The Senator and I can not agree about the constitutionality of the statute. I think it is unconstitutional, and I believe it ought to be repealed.

Mr. BAYARD. I am not going to pass upon that question. That is a question for the courts alone.

Mr. HEFLIN. I am going back to the fundamental principle. I do not care what kind of a statute it is or whose State it is; it is a wrong statute which denies a citizen of the United States the right to come in and plead and make answer and testify because he can not put up a money consideration. Any

citizen ought to be able, without money and without price, to come into court when he is proceeded against and called into court to answer, and ought to be able to answer when he arrives. When he does arrive and the court says, "Unless you can put up so much money you can not answer," he is denied due process of law. That is my contention in this case.

The two judges in Delaware in the lower court, as I said before, sat in the court in banc with the other judges, invited in to help render the decision. Finally, when the case went up to the supreme court some of the judges who had already acted on the case before—and I am correct about that—sat in final judgment in the supreme court and rendered a decision backing up the decision they had rendered at another sitting of the court in banc.

I am glad to make the statement correcting that part where I said the judges who sat in the court below also sat on the supreme court bench. Those two judges did not do that, but they did sit in the court in banc, and the judges who sat with them in the court in banc did sit with the supreme court on the final determination of the case.

#### CHILD LABOR

Mr. BRUCE. Mr. President, I desire to engage the attention of the Senate only for a few moments. I can not allow the speech delivered to-day by the Senator from Delaware [Mr. BAYARD] on the child labor amendment to pass without expressing my deep gratification that he should have made another most timely, instructive, and interesting contribution to the literature of that subject. As we all know, one of the most valuable of the contributions that have been made to the child-labor discussion at all was that of the Senator at the last session of Congress. Fortunately this address was distributed throughout the country, and has had, it is safe to say, a very decided effect in producing the adverse popular verdict which would now seem certain to befall the child labor amendment. Practically some 13 States of the Union have rejected it, and it is as plain as anything can be that the sardonic grin of death is settling upon its countenance.

I had intended to answer the Senator from Montana [Mr. WALSH] myself, but it is so obvious that the child labor amendment is doomed to a sure if not ignominious death that I no longer think it worth while to carry out my intention. But there is just one thing that I desire to say before I dismiss the subject from my further consideration.

I recollect that a great many years ago a distinguished Presbyterian divine said to me, just after he had made a tour of the State of Georgia—this was not long after the Civil War—that he had been curious to obtain an opinion from both Robert Toombs and Alexander H. Stephens, of that State, as to the probable result of the race conflict in the South which was then so menacing. "What," he asked Toombs, "will be the final issue of this conflict?" Toombs, in his blunt, dogmatic way, replied, "Extermination."

Later, when he asked Stephens the same question, he answered: "Miscegenation." Happily, we now know that there is no reasonable prospect of either of those laconic and gloomy prophecies ever being fulfilled. Whatever may be the final settlement of the race issue in the Southern States, it is at least not likely to take the form of either of those conclusions.

But for many years, of course, the South has adopted and by every means in its power kept in effect as a proper solution of the southern race problem the policy of carrying along the two races on parallel but never converging lines. I shall not stop to ask whether that is a wise or an unwise policy; nor shall I stop to ask whether it is a generous or a harsh policy. Everybody who knows me knows that I am no sectionalist. I never hear the term "North and South" used in any controversial sense that I do not feel like going off and smashing a compass. I have not the least patience with any form of narrow-minded, sectional, or local bigotry, and I am in favor of extending to the Negro everywhere in the country the fullest measure of just and friendly and helpful treatment. But we know that there are special race conditions in the South, and that they must be taken into account. As John Randolph once said, with reference to the struggle over slavery, you might as well try to cover up an earthquake with a carpet as to ignore them.

So I pause just a moment to ask my southern brothers to inquire of themselves what is likely to take place in the Southern States if the steady process of centralization which is now going on in the sphere of the National Government is not in some way or other checked? Personally, I am not opposed to the child labor amendment on mere sectional grounds. I should shrink from resting my conclusions or convictions in relation to any subject upon such a limited foundation as that. But

the fact is that no less than nine Senators from the Southern States voted in favor of the child labor amendment at the last session of Congress. It is safe to say that 25 or 30 years ago such a thing would have been impossible.

It would have savored of the rankest party heterodoxy or heresy. But now, I repeat, no less than nine Senators from the Southern States have voted in favor of an amendment to the Constitution which penetrates to the very core, to the very sanctum sanctorum of the principle of State sovereignty.

There is not one of us who does not know that the next step will be by constitutional amendment to have the Federal Government assume complete control over the general education of the country. Already there is a proposed amendment that contemplates the creation of a national department of education.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Maryland yield to the Senator from Massachusetts?

Mr. BRUCE. I yield.

Mr. WALSH of Massachusetts. There is a bill reported here by the committee on reclassification of the departments of the Government providing for a department of education and relief.

Mr. BRUCE. And there is the Sterling-Towner bill, which goes a long step, I believe, in the direction of conferring upon the Federal Government authority in educational matters.

Mr. STERLING. If the Senator from Maryland will pardon me, I want to refer to the statement made by the Senator from Massachusetts. He refers not to the reclassification bill, but to the reorganization bill, I think, which provides for the reorganizing of the departments of the Government.

Mr. WALSH of Massachusetts. I refer to the bill reported by the Senator from Utah [Mr. Smoot] creating a department of education.

Mr. BRUCE. The difference, under the circumstances, between reorganization and reclassification is the difference between tweedledum and tweedledee. Such an attenuated distinction need not be pursued.

Mr. STERLING. If it were just confined to a department of education, I would have no objection to the bill; but when it seeks to bring in, under the heading "Department of education and relief," the War Veterans' Bureau, the Pension Bureau, Vocational Education, and a number of other Government activities, then I think it is time to take notice and object.

Mr. McKELLAR. Mr. President, will the Senator from Maryland yield?

Mr. BRUCE. I yield for a question.

Mr. McKELLAR. Does the Senator recall from history that in 1802 or 1803, none other than Thomas Jefferson, who was then President of the United States, the head of the party to which the Senator from Maryland and I profess to belong, sent a message to Congress recommending such an amendment to the Constitution?

Mr. BRUCE. Well, of course, that great man had a very bold, original, and speculative mind, that was always projecting itself beyond the horizon of daily political needs; but the fact is that if he made such a proposition it met with no real favor at the hands of the Democratic Party.

As I have stated, already a movement is springing up, just as the child-labor movement sprang up, to have the Federal Government take over the complete control of popular education.

Mr. STERLING. Mr. President, I wish to say that no such proposition was involved in what was known as the Sterling-Towner department of education bill.

Mr. BRUCE. Well, as the French say, it is the first step that costs. That bill, and other pending bills, are simply the initial stages in a general movement, which, as I have stated, is looking to the complete regulation of education by the Federal Government throughout the United States. The very speech delivered by the Senator from Montana [Mr. WALSH], if my memory is not at fault, shows that he was in sympathy with this movement as well as with the child-labor movement itself. Let me ask my friends from the Southern States in this Chamber just one question: Are you prepared to see general control of popular education in the United States lodged in the hands of the Federal Government? We know that the Democratic Party is the minority party in this country; and that it is only under very special conditions that it is ever able to elect a President. Is there any Democrat who doubts that if an amendment to the Federal Constitution were adopted vesting control over education in this country in Congress, the Republican Party would exercise that power to the extent of riveting upon the South its own ideas as to the proper relations between the races in the schools of the South?

Mr. WALSH of Massachusetts. Mr. President, will the Senator permit an interruption?

Mr. BRUCE. Yes.

Mr. WALSH of Massachusetts. I simply desire to make an inquiry. Does the Senator think it would require a constitutional amendment in order to have the Federal Government take over the educational system of the country?

Mr. BRUCE. I do not know that it would. Federal aggression has pushed forward so stealthily and so successfully that the old need for constitutional changes seems, in great measure, to have passed away.

Mr. WALSH of Massachusetts. The bills which are pending to which the Senator has referred have all been introduced on the assumption that the Constitution permitted the creation of a Federal department of education.

Mr. BRUCE. They have.

Mr. President, in no State of the United States are these gradual encroachments of Federal authority over education more distrusted and feared than in the State that I have the honor in part to represent.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Maryland yield to the Senator from South Dakota?

Mr. BRUCE. I yield.

Mr. STERLING. I wish to say with reference to the principles of the bill, indeed, the language of the bill to which reference has been made, the educational department bill, that it expressly disclaims any intention on the part of Congress to interfere with the State authorities in the matter of education, with the courses of study, the methods, plans, and so on, with reference to education adopted by the State authorities.

Mr. BRUCE. I am not limiting my scrutiny in the slightest degree to particular educational measures. What I have been speaking of is the general trend in the direction of the control by the Federal Government over popular education in this country.

Mr. WALSH of Massachusetts. Of course if we create a Federal department of education it will want some money to spend.

Mr. BRUCE. Of course.

Mr. WALSH of Massachusetts. And will have to spend it for the promotion of education.

Mr. BRUCE. Certainly. Love grows by what it feeds on, and so would education.

Mr. WALSH of Massachusetts. It is bound to expand, to be a very important and very influential department, if once we take the step.

Mr. BRUCE. Precisely.

Mr. President, as I was saying, nowhere in the United States is the idea of subjecting popular education to Federal authority more disliked—I may say more abhorred—than in the State of Maryland. That State, I am happy to say, is a land of tolerance; its finest tradition is tolerance. No matter what difficulty religious sects in other communities in the United States may find in living together in peace and amity, its people experience no such difficulty. We want no system of education that will interfere in any way with any reasonable sectarian privileges that any religious sect has ever enjoyed in Maryland in the matter of education; and as long as that State retains its present power over the education of its children there will be no such interference.

Mr. McKELLAR. Mr. President, can the Senator give me the figures—

Mr. BRUCE. I am sorry I can not yield to the Senator, because it simply breaks up what I am saying into fragments to answer any and every interruption, unless it shall assume the form of a question.

Mr. McKELLAR. I wish to ask the Senator a question.

Mr. BRUCE. Then I yield to the Senator.

Mr. McKELLAR. Can the Senator state how many white and how many colored illiterates there are in his State?

Mr. BRUCE. I can not. I can only say that there are not enough illiterates to prevent the State from being one of the most intelligent in the United States, as it is one of the most conservative and one of the sanest.

I spoke of tolerance. It may interest the Senate to know that for some years we have elected three men as judges of our probate court in Baltimore, one a Catholic, one a Protestant, and one a Jew, and that they have run right along together at elections, except that the Jew receives perhaps rather a larger vote than the other two because he had been most usefully connected with the business of the court before he and his associates became judges.

We wish no interference with our parochial schools or other private schools of any sort. Our State government has been



wholly competent to endow our people with a rich measure of tolerance, peace, and mutual consideration and understanding, which we are not disposed to risk in any Federal experiment.

Now, to get back to the line of comment that I was pursuing, let me ask, Is there a single Senator here from the Southern States who is prepared to deny that if popular education in this country were to pass under the control of Congress there would be mixed schools in the South and that black and white children would be found sitting side by side on the public school benches in that section? The Republican majority in Congress might not do that as a mere matter of tyranny or simply because they had the power to do it, but because the representatives of that party in Congress would be accustomed to deal with entirely different social conditions from those that prevail at the South and naturally would be disposed to take an entirely different view of educational requirements and rights from that taken by the representatives in Congress of the South itself.

As I understand it, there are no separate schools for the races anywhere in the United States except at the South. The certain result of the extension of Federal authority over popular education throughout the country would, therefore, I say, be to bring about mixed schools in the South. Already more than one advocate of the child labor amendment has to my knowledge been proclaiming the fact that when it shall have been adopted the next step would be likewise to vest the regulation of education throughout the country in the Federal Government.

Furthermore, one of the amendments to the Federal Constitution that is now pending or agitated is designed to give to the Federal Government the power to establish a uniform system of marriage and divorce throughout the United States. Does anyone believe that if such a power were bestowed a Republican Congress would refrain from wiping off the statute books of the Southern States all laws prohibiting the intermarriage of blacks and whites? If the representatives of the Southern States in Congress should raise an outcry against that act, it would doubtless receive as little heed as the protest that they made here at the last session of Congress against the confirmation of the colored man, Walter Cohen, as collector of customs for the city of New Orleans. Once deprive the South of the shield of local autonomy in the matter of education and intermarriage and by many powerful influences of one sort or another, political and social, the leaders of the Republican Party could be compelled, whether they wished to do so or not, to pass laws breaking down all barriers of every sort between the two races in the South.

Rudyard Kipling once predicted that the future American will have a slight kink in his hair. If he does, it will be because the race reservations of the South shall have been effaced by processes of centralization which brought about the subjection of her peculiar social prejudices and prepossessions to the will of an external authority which had no real sympathy with them.

Now that the child labor amendment is coming to grief, I might add that I hope that the fate which has befallen it is merely the setting in of a reverse current of popular feeling, which may in time bring to an end the steady aggrandizement of Federal authority that is such an alarming phenomenon at the present hour.

Certainly the various child-labor systems that prevail in the different States of the Union do not differ more widely from each other than do the various educational systems in these States. With the proper amendment to the Constitution, the temptation and opportunity to establish a uniform educational system throughout the United States would be just as marked as the temptation and opportunity to establish a uniform system of child labor.

Let this process of increasing Federal power go on, and we will have other illustrations of the bitter experience that we have had with the eighteenth amendment to the Constitution—an amendment that paid no heed whatever to the diverse social habits, usages, and manners of the different communities, rural and urban, in the Union; and which consequently has resulted in widespread popular demoralization and entirely ineffectual efforts upon the part of the Federal Government to arrest the steady ruin that is being worked in the character and habits of the American people by general disrespect for law.

So I take this occasion once more to blow the trumpet to sound the tocsin, and to beg my Democratic comrades at least to stand shoulder to shoulder for the purpose of resisting any further usurpations of authority by the Federal Government, or any further and even more deadly violations of the funda-

mental principles upon which the free institutions of America were originally based.

#### THE FRENCH DEBT

Mr. BORAH. Mr. President, I ask permission to insert in the RECORD a letter and memorandum from the Secretary of the Treasury. I will state briefly that the letter refers to a memorandum which was furnished me some months ago on the question of the French debt, concerning which the Secretary of the Treasury desires to make a correction. I am inserting the letter and the memorandum so as to make the record complete according to his view of the matter at the present time.

The PRESIDING OFFICER. Without objection, the letter and memorandum will be printed in the RECORD.

The matter referred to is as follows:

TREASURY DEPARTMENT,  
Washington, January 27, 1925.

Hon. WILLIAM E. BORAH,

United States Senate.

MY DEAR SENATOR: I note that in the course of your remarks on interallied debts you inserted in the CONGRESSIONAL RECORD of January 22, 1925, page 2284, a memorandum on the loans made by France to the United States during and immediately following the Revolutionary War. This memorandum was prepared by the Treasury Department and sent to you on October 24, 1923. Shortly after that date a revision was made, and I am sending you herewith a copy of the revised form and call your attention to the additional paragraph marked on page 2. This additional paragraph simply calls attention to the fact that in the settlement of 1782 France remitted certain arrears of interest. With this modification the statement that the loans were ultimately settled in full is correct.

I regret that a copy of the revised statement was not sent to you as soon as it was prepared.

Very truly yours,

GARRARD B. WINSTON,  
Undersecretary of the Treasury.

#### LOANS AND SUBSIDIES GRANTED BY FRANCE TO THE UNITED STATES DURING AND IMMEDIATELY FOLLOWING THE REVOLUTIONARY WAR

TREASURY DEPARTMENT, November 8, 1923.

France made four loans to the United States during and immediately following the Revolution, all of which were negotiated by the Continental Congress. The details of these loans are as follows:

| Date      | Loan   | When due   | Amount    | Interest rate |
|-----------|--|--|-----------|---------------|
| 1777      | 1,000,000 livres from farmers-general of France under authority of resolution Dec. 23, 1776. (Secret Journals of Congress, "Foreign Affairs," Vol. II, p. 36.) | Indefinite. (Contract dated Mar. 24, 1777. House Misc. Doc. No. 603, pt. 2, 50th Cong., 1st sess., serial No. 2585, p. 300, Revolutionary Diplomatic Correspondence of the United States—Wharton.) | \$181,500 | Per cent 5    |
| 1778-1782 | 18,000,000 livres from French Government under authority of resolution Dec. 3, 1777. (Journals of Congress, Vol. II, p. 359.)                                  | 12 annual installments from the third year after conclusion of peace. (Contract dated July 16, 1782. Journals of Congress, Vol. IV, Appendix, p. 20—Way and Gideon Washington, 1823.)              | 3,267,000 | 5             |
| 1781-82   | 10,000,000 livres from French Government under authority of resolution Oct. 26, 1779. (Secret Journals of Congress, Vol. II, p. 283.)                          | 10 annual installments from Nov. 5, 1787. (Contract drawn July 16, 1782. Journals of Congress, Vol. IV, Appendix, p. 20.)  | 1,815,000 | 4             |
| 1783      | 6,000,000 livres from French Government under authority of resolution Sept. 14, 1782. (Journals of Congress, Vol. IV, p. 78.)                                  | 6 annual installments from Jan. 1, 1785. (Contract drawn Feb. 25, 1783. Journals of Congress, Vol. I V, Appendix, p. 23.)  | 1,089,000 | 15            |

<sup>1</sup> Beginning Jan. 1, 1784.

The 18,000,000 livre loan was made in installments ranging over the period of 1778-1782, the advances in the latter year amounting to 6,000,000 livres. In the contract of July 16, 1782, France remitted the arrears of interest on this loan to that date " \* \* \* and from thence to the date of the treaty of peace \* \* \*." In this same contract France also agreed to bear the commissions and bank charges incident to the 10,000,000-livre loan, which was in fact borrowed from Holland by France for the account of the United States. Franklin in transmitting this contract said in part: "In reading the contract





## EXECUTIVE SESSION

Mr. MOSES obtained the floor.

Mr. McKELLAR. Mr. President—

Mr. MOSES. I yield to the Senator from Tennessee.

Mr. McKELLAR. If the Senator is going to press for a vote to-night, I desire to suggest the absence of a quorum.

Mr. MOSES. It is perfectly evident, with the attendance in the Chamber at this hour, that it will be impossible to have a vote upon the pending amendment to-day, and I do not intend to press for one.

Mr. McKELLAR. Then I withdraw my suggestion.

Mr. MOSES. I intend presently to move that the Senate proceed to the consideration of executive business, and then I shall ask the Senate to take a recess until to-morrow. I want to take this occasion, however, to give notice that unless we are able to make material progress with the pending bill to-morrow I shall ask the Senate to sit to-morrow evening for the purpose of considering some of the pending amendments.

Mr. McKELLAR. I want to say, so far as I am concerned, that I shall be perfectly willing to sit to-morrow night and expedite the consideration of this matter as much as possible.

Mr. MOSES. Then, Mr. President, I give formal notice that to-morrow I shall expect the Senate to sit during the evening in pursuance of the consideration of this bill.

Mr. BORAH. I hope that expectation is not too earnest.

Mr. MOSES. Oh, of course any Senator can ask for a quorum, and if one is not available we will send out for it and bring it in in evening attire.

Mr. McKELLAR. I hope we shall get through with the bill to-morrow. I see no reason why we should not do so. Unless something interferes, as it did to-day, I see no reason why we should not finish this bill to-morrow.

Mr. BORAH. I think, unless something interferes, it will be finished to-morrow.

Mr. MOSES. I have had that notion every day—unless something interferes with the bill.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 12 minutes spent in executive session, the doors were reopened.

## COMMERCIAL UNION ASSURANCE CO. (LTD.), ETC.

The PRESIDING OFFICER (Mr. Fess in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1975) for the relief of the Commercial Union Assurance Co. (Ltd.), Federal Insurance Co., American & Foreign Marine Insurance Co., Queens Insurance Co. of America, Firemen's Fund Insurance Co., United States Lloyds, and the St. Paul Fire & Marine Insurance Co., which were on page 1, line 4, to strike out "thirteen" and insert "twelve"; on page 1, line 7, to strike out "12039"; on page 2, line 6, to strike out "\$2,600" and insert "\$2,400"; on page 2, line 7, to strike out "\$2,600" and insert "\$2,400"; on page 2, line 8, to strike out "\$1,950" and insert "\$1,800"; on page 2, line 9, to strike out "\$1,950" and insert "\$1,800"; on page 2, line 9, to strike out "\$1,820" and insert "\$1,680"; on page 2, line 10, to strike out "\$1,560" and insert "\$1,440"; on page 2, line 11, to strike out "\$520" and insert "\$480"; and on page 2, line 11, to strike out "\$13,000" and insert "\$12,000."

Mr. WADSWORTH. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

## RECESS

Mr. MOSES. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 47 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 29, 1925, at 12 o'clock meridian.

## CONVENTION FOR ESTABLISHMENT OF INTERNATIONAL COMMISSIONS OF INQUIRY

In executive session this day, the following convention was ratified, and, on motion of Mr. BORAH, the injunction of secrecy was removed therefrom:

To the Senate:

With a view to receiving the advice and consent of the Senate to ratification I transmit, with an accompanying report by the Secretary of State, a convention between the United States and the Republics of Guatemala, El Salvador, Honduras, Nicaragua,

and Costa Rica, for the establishment of international commissions of inquiry, signed at Washington on February 7, 1923.

CALVIN COOLIDGE.

THE WHITE HOUSE,

Washington, December 13, 1924.

THE PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention between the United States and the Republics of Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica, for the establishment of international commission of inquiry, signed at Washington on February 7, 1923.

The convention provides that it shall take effect for the parties which ratify it immediately after the day on which at least three of the contracting Governments deposit their ratifications with the Government of the United States. The convention has been approved by Costa Rica and Guatemala, and also by Nicaragua with the reservation that the ratification shall not take place until the approval of the convention by the Senate of the United States. A sufficient number of the Central American Governments to give it effect having approved the convention, if approved by the Senate, the submission of the convention to the Senate is recommended.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,

Washington, December 11, 1924.

## CONVENTION FOR THE ESTABLISHMENT OF INTERNATIONAL COMMISSIONS OF INQUIRY

The Government of the United States of America and the Governments of the Republics of Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica, desiring to unify and recast in one single convention, the conventions which the Government of the United States concluded with the Government of Guatemala on September 20, 1913, with the Government of El Salvador on August 7, 1913, with the Government of Honduras on November 3, 1913, with the Government of Nicaragua on December 17, 1913, and with the Government of Costa Rica on February 13, 1914, all relating to the establishment of International Commissions of Inquiry, have for that purpose named as their plenipotentiaries:

The President of the United States of America:

The Honorable Charles E. Hughes, Secretary of State of the United States of America.

The Honorable Sumner Welles, envoy extraordinary and minister plenipotentiary.

The President of the Republic of Guatemala:

Señor Don Francisco Sánchez Latour, envoy extraordinary and minister plenipotentiary to the United States of America.

The President of the Republic of El Salvador:

Señor Doctor Don Francisco Martínez Suárez, President of the Supreme Court.

Señor Doctor Don J. Gustavo, Guerrero, envoy extraordinary and minister plenipotentiary to Italy and Spain.

The President of the Republic of Honduras:

Señor Doctor Don Alberto Uclés, Ex-Minister for Foreign Affairs.

Señor Doctor Don Salvador Córdova, ex-minister resident in El Salvador.

Señor Don Raúl Toledo López, chargé d'affaires in France.

The President of the Republic of Nicaragua:

Señor General Don Emiliano Chamorro, Ex-President of the Republic and envoy extraordinary and minister plenipotentiary to the United States of America.

Señor Don Adolfo Cárdenas, Minister of Finance.

Señor Doctor Don Maximo H. Zepeda, Ex-Minister for Foreign Affairs.

The President of the Republic of Costa Rica:

Señor Licenciado Don Alfredo González Flores, Ex-President of the Republic.

Señor Licenciado Don J. Rafael Oreamuno, envoy extraordinary and minister plenipotentiary to the United States of America.

Who, after having exhibited to one another their respective full powers which were found to be in good and proper form, have agreed upon the following articles:

## ARTICLE I

When two or more of the contracting parties shall have failed to adjust satisfactorily through diplomatic channels a controversy originating in some divergence or difference of

opinion regarding questions of fact, relative to failure to comply with the provisions of any of the treaties or conventions existing between them and which affect neither the sovereign and independent existence of any of the signatory Republics, nor their honor or vital interests, the parties bind themselves to institute a commission of inquiry with the object of facilitating the settlement of the dispute by means of an impartial inquiry into the facts.

This obligation ceases if the parties in dispute should agree by common accord to submit the question to arbitration or to the decision of another tribunal.

A commission of inquiry shall not be formed except at the request of one of the parties directly interested in the investigation of the facts which it is sought to elucidate.

#### ARTICLE II

Once the case contemplated in the preceding article has arisen, the parties shall by common accord draw up a protocol in which shall be stated the question or questions of fact which it is desired to elucidate.

When, in the judgment of one of the interested Governments, it has been impossible to reach an agreement upon the terms of the protocol, the commission will proceed with the investigation, taking as a basis the diplomatic correspondence upon the matter which has passed between the parties.

#### ARTICLE III

Within the period of 30 days subsequent to the date on which the exchange of ratifications of the present treaty has been completed each of the parties which have ratified it shall proceed to nominate five of its nationals to form a permanent list of commissioners. The Governments shall have the right to change their respective nominations whenever they should deem it advisable, notifying the other contracting parties.

#### ARTICLE IV

When the formation of a commission of inquiry may be in order, each of the parties directly interested in the dispute shall be represented on the commission by one of its nationals, selected from the permanent list. The commissioners selected by the parties shall by common accord choose a president, who shall be one of the persons included in the permanent list by any of the Governments which has no interest in the dispute.

In default of said common agreement the president shall be designated by lot, but in this case each of the parties shall have the right to challenge no more than two of the persons selected in the drawing.

Whenever there shall be more than two Governments directly interested in a dispute, and the interests of two or more of them be identical, the Government or Governments, which may be parties to the dispute, shall have the right to increase the number of their commissioners from among the members of the permanent list nominated by said government or governments, as far as it may be necessary, so that both sides in the dispute may always have equal representation on the commission.

In case of a tie the president of the commission shall have two votes.

If for any reason any one of the members appointed to form the commission should fail to appear, the procedure for his replacement shall be the same as that followed for his appointment. While they may be members of a commission of inquiry, the commissioners shall enjoy the immunities which the laws of the country, where the commission meets, may confer on Members of the National Congress.

The diplomatic representatives of any of the contracting parties accredited to any of the governments which may have an interest in the questions which it is desired to elucidate shall not be members of a commission.

#### ARTICLE V

The commission shall be empowered to examine all the facts, antecedents, and circumstances relating to the question or questions which may be the object of the investigation, and when it renders its report it shall elucidate said facts, antecedents, and circumstances, and shall have the right to recommend any solutions or adjustments which, in its opinion, may be pertinent, just, and advisable.

#### ARTICLE VI

The findings of the commission will be considered as reports upon the disputes which were the objects of the investigation, but will not have the value or force of judicial decisions or arbitral awards.

#### ARTICLE VII

In the case of arbitration or complaint before the tribunal created by a convention signed by the five Republics of Central

America, on the same date as this convention, the reports of the commission of inquiry may be presented as evidence by any of the litigant parties.

#### ARTICLE VIII

The commission of inquiry shall meet on the day and in the place designated in the respective protocol, and failing this, in the place to be determined by the same commission, and once installed it shall have the right to go to any localities which it shall deem proper for the discharge of its duties. The contracting parties pledge themselves to place at the disposal of the commission, or of its agents, all the means and facilities necessary for the fulfillment of its mission.

#### ARTICLE IX

The signatory Governments grant to all the commissions which may be constituted the power to summon and swear in witnesses and to receive evidence and testimony.

#### ARTICLE X

During the investigation the parties shall be heard and may have the right to be represented by one or more agents and counsel.

#### ARTICLE XI

All members of the commission shall take oath before the highest judicial authority of the place where it may meet duly and faithfully to discharge their duties.

#### ARTICLE XII

The inquiry shall be conducted so that both parties must be heard. Consequently the commission shall notify each party of the statements of fact submitted by the other and shall fix periods of time in which to receive evidence.

Once the parties are notified, the commission shall proceed to the investigation, even though they fail to appear.

#### ARTICLE XIII

As soon as the commission of inquiry is organized, it shall, at the request of any of the parties to the dispute, have the right to fix the status in which the parties must remain, in order that the conditions may not be aggravated and matters may remain in the same state pending the rendering of the report by the commission.

#### ARTICLE XIV

The report of the commission shall be published within three months, to be reckoned from the date of its inauguration, unless the parties directly interested decrease or increase the time by mutual consent.

The report shall be signed by all the members of the commission. Should one or more of them refuse to sign it, note shall be taken of the fact, and the report shall always be valid provided it obtains a majority vote.

In every case the vote of the minority, if any, shall be published with the report of the commission.

One copy of the report of the commission and of the vote of the minority, if any, shall be sent to each of the ministers of foreign affairs of the contracting parties.

#### ARTICLE XV

Each party shall bear its own expenses and a proportionate share of the general expenses of the commission.

The president of the commission shall receive a monthly compensation of not less than \$500, American gold, in addition to his traveling expenses.

#### ARTICLE XVI

The present convention, signed in one original, shall be deposited with the Government of the United States of America, which Government shall furnish to each of the other signatory Governments an authenticated copy thereof. It shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the executive and legislative powers of the Republics of Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica, in conformity with their constitutions and laws.

The ratifications shall be deposited with the Government of the United States of America, which will furnish to each of the other Governments an authenticated copy of the procès verbal of the deposit of ratification. It shall take effect for the parties which ratify it immediately after the day on which at least three of the contracting Governments deposit their ratifications with the Government of the United States of America. It will continue in force for a period of 10 years, and shall remain in force thereafter for a period of 12 months from the date on which any one of the contracting Governments shall have given notification to the others, in proper form, of its desire to denounce it.



The denunciation of this convention by one or more of the said contracting parties shall leave it in force for the parties which have ratified it but have not denounced it, provided that these be no less than three in number. Should any Central American States bound by this convention form a single political entity, this convention shall be considered in force as between the new entity and the contracting Republics which may have remained separate, provided that these be no less than two in number. Any of the signatory Republics which should fail to ratify this convention shall have the right to adhere to it while it is in force.

In witness whereof the above-named plenipotentiaries have signed the present convention and affixed thereto their respective seals.

Done at the city of Washington, the seventh day of February, one thousand nine hundred and twenty-three.

|                           |         |
|---------------------------|---------|
| CHARLES E. HUGHES.        | [SEAL.] |
| SUMNER WELLES.            | [SEAL.] |
| FRANCISCO SÁNCHEZ LATOUR. | [SEAL.] |
| F. MARTINEZ SUÁREZ.       | [SEAL.] |
| J. GUSTAVO GUERRERO.      | [SEAL.] |
| ALBERTO UCLES.            | [SEAL.] |
| SALVADOR CORDOVA.         | [SEAL.] |
| RAÚL TOLEDO LÓPEZ.        | [SEAL.] |
| EMILIANO CHAMORRO.        | [SEAL.] |
| ADOLFO CÁRDENAS.          | [SEAL.] |
| MAXIMO H. ZEPEDA.         | [SEAL.] |
| ALFREDO GONZÁLEZ.         | [SEAL.] |
| J. RAFAEL OREAMUNO.       | [SEAL.] |

#### NOMINATIONS

*Executive nominations received by the Senate January 28 (legislative day of January 26), 1925*

##### GOVERNOR OF HAWAII

Wallace R. Farrington, of Honolulu, Hawaii, to be Governor of Hawaii. A reappointment.

##### UNITED STATES ATTORNEY

Samuel W. McNabb, of California, to be United States attorney, southern district of California, vice Joseph C. Burke, resigned.

##### POSTMASTERS

###### ALASKA

Grace Brook to be postmaster at Fort Yukon, Alaska, in place of W. L. Harber, resigned.

###### CALIFORNIA

Michael G. Callaghan to be postmaster at Livermore, Calif., in place of M. G. Callaghan. Incumbent's commission expired June 4, 1924.

###### FLORIDA

Wilber C. Russell to be postmaster at Fort Pierce, Fla., in place of Thomas Roden, removed.

###### GEORGIA

Clarence W. Bazemore to be postmaster at Butler, Ga., in place of M. N. Riley. Incumbent's commission expired June 4, 1924.

###### IDAHOO

William C. Quarles to be postmaster at Gibbs, Idaho. Office became presidential January 1, 1925.

###### ILLINOIS

Jesse E. Meharry to be postmaster at Tolono, Ill., in place of J. P. Crawford, deceased.

Paul R. Beebe to be postmaster at Forreston, Ill., in place of C. C. Fonken. Incumbent's commission expired August 29, 1923.

###### INDIANA

Floyd Coomler to be postmaster at Lagro, Ind. Office became presidential January 1, 1925.

###### IOWA

Finley E. Dutton to be postmaster at Manchester, Iowa, in place of D. A. Preussner, resigned.

###### LOUISIANA

Louise L. Bass to be postmaster at Willetts, La. Office became presidential January 1, 1925.

###### MASSACHUSETTS

Charles C. Starratt to be postmaster at Ocean Bluff, Mass. Office became presidential January 1, 1925.

###### MICHIGAN

Asher B. Merritt to be postmaster at Leonidas, Mich. Office became presidential January 1, 1925.

Claude B. Hoffmaster to be postmaster at Hopkins, Mich., in place of M. R. Gordon, resigned.

###### MINNESOTA

Albert Groenke to be postmaster at New Germany, Minn. Office became presidential January 1, 1925.

Ora M. Goodfellow to be postmaster at Kenyon, Minn., in place of O. M. Goodfellow. Incumbent's commission expired June 5, 1924.

Joseph F. John to be postmaster at Browerville, Minn., in place of Lambert Irsfeld. Incumbent's commission expired June 5, 1924.

###### MISSOURI

Martha T. Russell to be postmaster at Bertrand, Mo. Office became presidential July 1, 1924.

###### NEBRASKA

Harry A. Moore to be postmaster at DuBois, Nebr. Office became presidential January 1, 1925.

###### NEW YORK

Rosella M. Palmetter to be postmaster at Purling, N. Y. Office became presidential January 1, 1925.

William C. Meade to be postmaster at Hall, N. Y. Office became presidential January 1, 1925.

Celia D. White to be postmaster at Fishkill, N. Y., in place of J. P. Dugan. Incumbent's commission expired August 5, 1923.

###### NORTH CAROLINA

James V. Benfield to be postmaster at Valdese, N. C. Office became presidential January 1, 1925.

Ike R. Forbes to be postmaster at Cramerton, N. C. Office became presidential January 1, 1924.

Joseph C. McAdams to be postmaster at Elon College, N. C., in place of C. A. Hughes, resigned.

###### OHIO

Earl F. Liebttag to be postmaster at East Canton, Ohio. Office became presidential January 1, 1925.

###### OREGON

Elizabeth M. Ward to be postmaster at Philomath, Oreg., in place of J. A. Watkins. Incumbent's commission expired June 4, 1924.

###### PENNSYLVANIA

David R. Whitehill to be postmaster at Strattanville, Pa. Office became presidential January 1, 1925.

###### SOUTH CAROLINA

Angus L. Campbell to be postmaster at Patrick, S. C. Office became presidential April 1, 1924.

###### VIRGINIA

Mary O. Pumphrey to be postmaster at West Point, Va., in place of F. A. Taylor, removed.

###### WYOMING

Henry H. Loucks to be postmaster at Sheridan, Wyo., in place of J. W. Morgareidge, deceased.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate January 28 (legislative day of January 26), 1925*

##### MEMBER OF THE FARM LOAN BOARD

Robert A. Cooper to be a member of the Farm Loan Board.

##### POSTMASTERS

###### ALABAMA

Perry W. Caraway, Fayette.

###### GEORGIA

Nellie B. Brimberry, Albany.

John F. Charles, Chatsworth.

Louis S. Marlin, Doerun.

Robert L. O'Kelley, Grantville.

William M. McElroy, Norcross.

Allie D. Griffin, Quitman.

###### ILLINOIS

Mildred E. Wright, Murrayville.

John M. Yolton, Fort Byron.

Olga M. Streetz, River Grove.

## MINNESOTA

Marvin R. Christensen, Arco.  
Zenas V. Johnston, Atwater.  
Willie W. Bunday, Dennison.  
Henry B. Young, Holt.  
Ernst A. Lofstrom, Litchfield.

## MONTANA

Eliza J. Davis, Kevin.

## NORTH DAKOTA

John D. Greene, Edgeley.

## WEST VIRGINIA

Earl Morris, Pursglove.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, January 28, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou in whose presence our souls find rest, on whom in affliction we call, at the doorway of our labors we would ask that Thou wouldst make us worthier of Thy care and confidence. Great and holy is the Lord, and we thank Thee that Thou wilt be our guide and refuge all along life's way. All our paths of love and mercy spring from Thy throne. Thou hast put the music of hope in the world and set its bright light in the skies of Thy earthly children. Reveal unto us, O Lord, the things that are wise, prudent, and helpful, and may all our labors be rooted in intelligent conviction. Bless us all with the freedom of a large charity, and give us definite understanding of all immediate problems. Amen.

The Journal of the proceedings of yesterday was read and approved.

ELLEN B. WALKER

Mr. UNDERHILL. Mr. Speaker, I present a conference report upon the bill (S. 365) for the relief of Ellen B. Walker, for printing under the rules.

## CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 365) for the relief of Ellen B. Walker, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, and agree to the same.

GEO. W. EDMONDS,  
CHARLES L. UNDERHILL,  
JOHN C. BOX,

*Managers on the part of the House.*

ARTHUR CAPPER,  
SELDEN P. SPENCER,

*Managers on the part of the Senate.*

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 365) for the relief of Ellen B. Walker submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

The amount is reduced from \$5,000 to \$1,500.

GEO. W. EDMONDS,  
CHARLES L. UNDERHILL,  
JOHN C. BOX,

*Managers on the part of the House.*

## HEIRS OF AGNES INGELS, DECEASED

Mr. UNDERHILL. Mr. Speaker, I present a conference report upon the bill (S. 1765) for the relief of the heirs of Agnes Ingels, deceased, for printing under the rules:

## CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1765) for the relief of the heirs of Agnes Ingels, deceased, having met, after full and free conference have agreed to

recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1 and 2, and agree to the same.

GEO. W. EDMONDS,  
CHARLES L. UNDERHILL,  
JOHN C. BOX,

*Managers on the part of the House.*

ARTHUR CAPPER,  
SELDEN P. SPENCER,

*Managers on the part of the Senate.*

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1765) for the relief of the heirs of Agnes Ingels, deceased, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

The amount is reduced from \$5,000 to \$1,000.

GEO. W. EDMONDS,  
CHARLES L. UNDERHILL,  
JOHN C. BOX,

*Managers on the part of the House.*

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 7064) to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the joint resolution (S. J. Res. 107) entitled joint resolution declaring agriculture to be the basic industry of the country, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bills of the Senate of the following titles:

S. 703. An act making an adjustment of certain accounts between the United States and the District of Columbia; and

S. 1179. An act to authorize the commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening in accordance with the highway plan of other streets, roads, or highways in the District of Columbia, and for other purposes.

The message also announced that the President pro tempore had appointed Mr. SHORTEIDGE, Mr. SWANSON, Mr. METCALF, and Mr. COPELAND, members of the Board of Visitors to the Naval Academy for the year 1925 on behalf of the Senate, pursuant to the provisions of the act of Congress of August 29, 1916, relative to the appointment of the Board of Visitors to the Naval Academy.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

A message in writing from the President of the United States by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On January 24, 1925:

H. R. 3847. An act granting a certain right of way, with authority to improve the same, across the old canal right of way between Lakes Union and Washington, King County, Wash.

On January 26, 1925:

H. R. 10467. An act granting the consent of Congress to the Huntington & Ohio Bridge Co. to construct, maintain, and operate a bridge across the Ohio River between the city of Huntington, W. Va., and a point opposite in the State of Ohio.

On January 28, 1925:

H. R. 8235. An act for the relief of Aktieselskabet Marie di Giorgio, a Norwegian corporation of Christiania, Norway; and

H. R. 4168. An act to amend an act entitled "An act to punish the unlawful breaking of seals of railroad cars containing interstate or foreign shipment, the unlawful entering of such cars, the stealing of freight and express packages or baggage or articles in process of transportation in interstate shipment, and the felonious asportation of such freight or express packages or baggage or articles therefrom into another district



of the United States, and the felonious possession or reception of the same," approved February 13, 1913 (37th Stat. L. p. 670).

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 10152. An act granting the consent of Congress to the Huntley-Richardson Lumber Co., a corporation of the State of South Carolina, doing business in the said State, to construct a railroad bridge across Bull Creek at or near Eddy Lake, in the State of South Carolina.

CALENDAR WEDNESDAY

The SPEAKER. To-day is Calendar Wednesday. The Clerk will call the roll of committees.

IMPROVEMENT OF THE SYSTEM OF OVERLAND COMMUNICATIONS ON THE SEWARD PENINSULA, ALASKA

Mr. DOWELL (when the Committee on the Territories was called). Mr. Speaker, I desire to call up H. J. Res. 60, authorizing the improvement of the system of overland communications on the Seward Peninsula, Alaska.

The SPEAKER. This bill is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the resolution, and the gentleman from New York [Mr. SNELL] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. SNELL in the chair.

The CHAIRMAN. The Clerk will report the joint resolution. The Clerk read as follows:

House Joint Resolution 60

*Resolved, etc.,* That the following work of improvement is hereby adopted and authorized, to be prosecuted under the direction of the Board of Road Commissioners for Alaska, in accordance with the plans recommended in the report hereinafter designated.

Nome-Shelton-Kugruk River-Keewalik, Alaska, in accordance with the report submitted in House Document No. 514, Sixty-seventh Congress, fourth session, and subject to the conditions set forth in said document.

Mr. DOWELL. Mr. Chairman, I yield to the Delegate from Alaska [Mr. SUTHERLAND] such time as he may desire to explain the resolution.

Mr. SUTHERLAND. Mr. Chairman, this is a joint resolution authorizing the improvement of the transportation system on the Seward Peninsula, Alaska. The map will serve to call your attention to just the particular section of the Territory to which this applies.

The improvement would be authorized for the Seward Peninsula, the western extremity of the Territory of Alaska, the peninsula of land extending almost to the Russian possessions, and separated from the Russian possession only by Bering Strait.

About 25 years ago, when the great Nome placer excitement broke out, a railroad was constructed from the port of Nome to the mines, a distance of about 8 or 9 miles, a little narrow-gauge railroad. As the mining sections northward developed, the road was gradually extended through the years until to-day it reaches for a distance of 87 miles. For a number of years the owners of the railroad permitted its use by the public; that is, any man who had supplies to carry to northern points could place them on the track and carry them without expense. The motive power is usually dogs, and any man who has a little truck that he can place on this railroad and hitch his dogs up to may carry supplies as far north as he cares to go, or as far as the railroad extends.

About four years ago the Territory of Alaska purchased this railroad or purchased certain rights that existed, and made it a public road, generally called a tramway, so that it is now used solely by the public, and is a splendid means of transportation. They have learned that the cost of maintenance of this tramroad or narrow-gauge railroad, whichever you wish to call it, is much less than the maintenance of a gravel wagon road, and therefore the Secretary of War has believed it advisable to continue this method of transportation to a certain extent.

The act authorizing the construction of roads and trails in Alaska has no provision for railroads or tramroads or anything of that sort, and that is one reason why this authorization is asked for. They ask to continue this railroad for a distance of 12 miles, and beyond that, through a country with plenty of gravel in it that is suitable for road building, for a distance of 65 miles, and then for a distance of 30 miles by railroad or tram.

The reason for this division of the different methods of transportation is that it is cheaper to build wagon roads through a gravel or dirt country, but in these last 30 miles you come to a great level tundra, the sort of land that would be called steppes in Russia or Siberia, frozen land that when the sun shines on it in summer becomes very soft so that it can not be traversed; in fact, it is virtually morass. They find that they may lay planks, which correspond to railroad ties; lay the rails on those planks and they have a splendid method of transportation thereafter.

What the Secretary of War is asking is authorization to complete this system. The provisions of the report are that the Territory shall contribute toward the project to the extent of 20 per cent, and with this 20 per cent the Territory shall maintain the tramways and the gravel roads as provided in the resolution.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. BLACK of Texas. I was under the impression that the report only required the Territory of Alaska to contribute 20 per cent toward the maintenance after its construction.

Mr. SUTHERLAND. After its construction they would, but in the days of construction the 20 per cent would, I think, more than maintain the existing road.

Mr. BLACK of Texas. I want to understand the situation correctly, if I do not understand it correctly now. If this authorization is made which involves an ultimate expenditure of \$750,000, will the Territory of Alaska contribute 20 per cent of that \$750,000 toward the construction of the project?

Mr. SUTHERLAND. That is provided for in the report, as the gentleman has stated. This, in effect, carries out the principle of the Federal road aid that you have in the States. I have introduced bills asking that that act be extended to Alaska, but they could never get an agreement in the Committee on Roads as to how it should be extended. As a matter of fact, the Territory of Alaska does not have the money to contribute any such proportion as do the States under the Federal aid act. In this project you would have the principle of Federal aid whereby the Territory contributes 20 per cent.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. COLE of Iowa. What is to be the cost of this?

Mr. SUTHERLAND. The ultimate cost would be \$750,000, extended over a period of years.

Mr. WATSON. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. WATSON. Under the new management would the tramway be continued by dog power?

Mr. SUTHERLAND. Yes.

Mr. WATSON. It would be dog power after the completion of the road?

Mr. SUTHERLAND. It could be gasoline power or horse power or dog power, but dog power is the approved method now.

Mr. WATSON. What will be the length of the road when completed?

Mr. SUTHERLAND. One hundred and twenty-nine miles.

Mr. WATSON. How many pounds can a dog draw over the tramway?

Mr. SUTHERLAND. I can only say that a man will load 1,000 pounds on a little car and make 87 miles in two days with seven dogs, and in some cases, perhaps, with only five dogs.

Mr. WATSON. How does the cost of operation by dog power compare with the operation by horse power?

Mr. SUTHERLAND. It would be a great deal less by dog power.

Mr. WATSON. How many months in the year can the tramway be operated?

Mr. SUTHERLAND. Five months.

Mr. WATSON. It would be open longer under dog power?

Mr. SUTHERLAND. They would use dogs summer and winter.

Mr. DOWELL. Will the gentleman yield?

Mr. SUTHERLAND. Certainly.

Mr. DOWELL. The Territory of Alaska does not have the advantage of the highway act of the States and Territories?

Mr. SUTHERLAND. No, sir.

Mr. DOWELL. As I understand it, this bill simply provides that so far as this one project is concerned, it shall have the same advantages as the Territories.

Mr. SUTHERLAND. Yes. Take the State of Nevada. In that case they contribute 10 per cent, but they also maintain an organization which makes their real contribution to the roads about 31 per cent.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. SUTHERLAND. I will yield to the gentleman.

Mr. CLARKE of New York. What is the population to be benefited by this improvement?

Mr. SUTHERLAND. The population of that section of Alaska is about 11,000, natives and whites. The white population is approximately 2,000. It is probable that about 1,500 people would participate in the use of this road, but probably only about 500 operators would utilize it for carrying freight.

Mr. MICHENER. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. MICHENER. What is the industry of this region?

Mr. SUTHERLAND. Placer mining.

Mr. MICHENER. What has been the output for the last few years—what has been the value of the output?

Mr. SUTHERLAND. The gentleman will find that in the report, I think. It is difficult to tell the value from that particular section, because the output is given from the Seward Peninsula, and this is not segregated.

Mr. MICHENER. What is the tonnage to be carried over the road in a year?

Mr. SUTHERLAND. That I would have to get from the report. The gentleman will find the report states that last summer 350 tons of supplies were landed at Deering, of which 200 will go to the Inmachuk; 400 tons were landed at Keewalik, all of which will go to Candle, and 100 tons of which will go to Candle Creek. The freight charges on this 600 tons of general supplies, after being landed, will be as follows: Deering, \$5,000; Keewalik, \$2,080; Candle, \$600, making in all \$7,680.

Mr. MICHENER. The gentleman said 100 tons would go to this particular place over this road?

Mr. SUTHERLAND. Yes.

Mr. MICHENER. But all the tonnage you have named would not go over this road.

Mr. SUTHERLAND. Possibly not, not all of it.

Mr. MICHENER. What is the prospective development there; is there going to be any more in the future than there is now?

Mr. SUTHERLAND. The report further states that as high as 500 tons of coal has been shipped during the winter in spite of the prohibitive transportation charges—\$42 a ton to the Inmachuk or \$28 to Candle Creek. That would be over this road.

Mr. MICHENER. That was when?

Mr. SUTHERLAND. Probably in 1921 or 1922, when this report was written.

Mr. MICHENER. And we are starting on a program to expend \$750,000?

Mr. SUTHERLAND. Yes.

Mr. MICHENER. How much will be expended this year?

Mr. SUTHERLAND. They advise an appropriation of \$250,000.

Mr. COLE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. COLE of Iowa. After this road is constructed, will it be maintained by the Territory?

Mr. SUTHERLAND. That is the plan.

Mr. COLE of Iowa. Entirely so?

Mr. SUTHERLAND. Yes; the Territory will maintain the road.

Mr. COLE of Iowa. And the United States Government will furnish no further money?

Mr. SUTHERLAND. Not after its completion. Ships go around into the Arctic coast where these places are located, but after the landing of freight there is quite a distance back into the interior, into the mining camps, that would be covered by this railroad. They can not, of course, land all the supplies that they require to carry over to the next summer, so, if this road is constructed, they may bring in from Nome, over this railroad, the very early shipments of vegetables and meats and stuff they require to start operations. On the other hand, ships could not get in there until some time in July, and sometimes it is hazardous going in there at any time.

Mr. SCHNEIDER. What do they bring out of these mines? What is the value of the product?

Mr. SUTHERLAND. It is all based on placer gold mining.

Mr. SCHNEIDER. About what is the value of the product brought out from the mines in the course of a year?

Mr. SUTHERLAND. Just at the present time I would say that the product of that particular section would be about a quarter of a million dollars. They anticipate great increase through the operation of dredges. Everything in the mining

way in Alaska now tends to dredging. They are now operating dredges on a large scale.

Mr. SCHNEIDER. Do they bring furs out of there also to any large extent?

Mr. SUTHERLAND. Yes; the valuation of the furs from the Territory this year I think will be about a million and a half dollars. Of course, in almost every case the furs are sent through the mail.

Mr. MICHENER. Will there never be any heavy traffic on this railroad?

Mr. SUTHERLAND. Heavy traffic to the extent of carrying in dredge supplies.

Mr. MICHENER. In other words, if a man succeeds up there he goes in with a grip and comes out with a dress-suit case.

Mr. SUTHERLAND. That is the idea.

Mr. MICHENER. And that is about all the accommodation you need, so far as getting in and out is concerned.

Mr. SUTHERLAND. They must get their supplies. To-day a man walks in there. He does not have any conveyance. He has to walk.

Mr. MICHENER. And it is never thought that you will put anything up there excepting dog power on this railroad.

Mr. SUTHERLAND. No. I believe, however, there will be dredging operations in there for a century to come.

Mr. RANKIN. Mr. Chairman, it seems to me that the time has come for the American Congress, in legislating for the Territory of Alaska, to begin to understand just what they are legislating on. For that reason I avail myself of this opportunity to tell Congress of some things that I observed on my trip to that great Territory more than a year ago.

As is well known, arrangements were made for the members of the Committees on Territories, Appropriations, and Military Affairs to visit the Territory of Alaska during the vacation of 1923. I happened to be a member of the Committee on Territories and took the trip, and made such investigations as I was able to make under the circumstances; and I will try to give you briefly the result of my observations.

The Territory of Alaska, as we all know, was ceded to the United States by the Russian Empire in 1867 for a consideration of \$7,200,000. It comprises an area of about 580,000 square miles, or about twelve times the size of the State of Mississippi or Pennsylvania.

In 1896 some gold prospectors found traces of gold in the frozen ground in what is known as the Klondike region, over on the Canadian side near the present town of Dawson. There followed a mad rush for the gold fields of the Klondike. Later, possibly three or four years afterwards, placer gold—that is, gold that is imbedded in the sand and gravel as distinguished from that found in solid rock—was found near what is now the town of Fairbanks, the present northern terminus of the Alaskan Railroad. Then there was a mad rush for the gold fields of Alaska. The newspapers carried in flaming headlines stories of vast wealth to be found there. They have continued to carry some of those stories to this day, some of which are very deceptive indeed.

We entered Alaska at Seward, the southern terminus of the Government railroad and went over it to Fairbanks. This road was built at the expense of the American people. It is 467 miles long and was built at a cost of \$57,000,000. It begins at the town of Seward on Resurrection Bay, which is a small arm of the Gulf of Alaska, passing on over to the town of Anchorage, at the head of Cook Inlet, then going on through the town of Nenana, which has a population of about 600, and is situated at the confluence of the Nenana and the Tanana Rivers, and then on up to the town of Fairbanks. Fairbanks has a population variously estimated at from fifteen hundred to two thousand people.

As I have just stated, this railroad is 467 miles long, and yet there are not 10,000 people living within 300 miles of it in every direction. That is a very conservative statement, but I make it in order that those who are interested may understand just what we have to deal with hereafter when we come to legislate for the Alaskan Railroad.

There are about 54,000 people in the Alaskan Territory, 27,000 of whom are Indians and Eskimos, and 27,000 white people, scattered over an area twelve times the size of the State of Mississippi or Pennsylvania. A vast majority of those people live either along the seacoast or in Fairbanks or in other towns along this Alaskan Railroad. I am giving the population in round numbers, according to the census of 1920. In 1910, there were 64,000 people there, according to the census of that date. The population decreased 10,000 between 1910 and 1920.



We have been told a great deal about the inexhaustible resources of Alaska and what they have meant to the American people in dollars and cents. I am going to tell you of those resources as I saw them.

There may be the great stores of wealth, which some enthusiastic people picture, hidden beneath those towering mountains, or imbedded in those frozen valleys, but so far they have not been revealed. There may be untold natural resources in this country that will yet be revealed—just as the great bauxite field in northeastern Mississippi has recently been discovered—but I wish to deal with the tangible, visible, available resources of the Territory as I saw them.

The salmon fisheries of Alaska constitute by far the greatest and most valuable resource of the Territory. They have been greatly depleted in the last few years by what I consider our iniquitous policy with reference to them. Now, pardon me if I go into detail for just a moment to explain to you how that is brought about.

All salmon are hatched in fresh water. When the old salmon get ready to lay their eggs, they go up one of those freshwater streams and deposit them up near the head, above the flow of glacial water. The old salmon die, both male and female. Their bodies are washed down those streams in great cargoes. The little salmon are hatched by the millions. They go down the stream and out into salt water, and are gone three or four years, until the time comes for them to spawn; when they come back to the identical stream in which they were hatched, go back to headwaters, deposit their eggs, the old salmon die and a new generation is born. Now, if you place a trap across one of these streams and catch every salmon that goes up it for four or five years, you entirely deplete it of its salmon supply, for, although the next stream may be literally teeming with them, they will never go from one stream to another. We had on that trip a gentleman who is said to be one of the greatest fish experts in the world, and I was told by him that this was a scientifically proved fact.

For the last few years the American Government, through the Department of Commerce, has farmed out the areas around the mouths of those streams and the canneries have placed their nets and traps there and for a long time caught practically every salmon that came up, until when we were there the supply had been depleted to such an extent that some of those canneries ran only one-quarter capacity.

If that practice continues for a few years, it will be only a matter of time until the Alaskan fisheries will be destroyed, and the greatest resource we have in the Territory will be a thing of the past. Fortunately last year we passed some legislation that remedied that situation to some extent, but in my opinion we did not go far enough.

The Indians in Alaska live up and down those streams and depend for their food supply on fish and wild animals. The wild animals are nearly all gone. In the wintertime they are able to kill a few snowshoe rabbits; but, as I said, they depend largely on the salmon fish for their food supply. I remember one day when we were going down the Copper River Railroad I looked down on the little cabins of some of these Indians. This was in the early days of June. They were even then catching and drying their winter supply of salmon. They had them split open and were hanging them upon poles, somewhat as they dry tobacco in Kentucky and Tennessee. They dry those fish, pack them away, and live on them during the dark, cold winter months.

When President Harding was in Alaska, a couple of weeks after we left, an old Indian chief went to him down at Ketchikan and said, "Mr. President, we like to fish, but we must now beg fish from the canneries." When that statement was carried through the press, I knew what that old Indian chief meant. He realized that if this practice continued much longer their salmon supply would be exhausted and they would have nothing on which to live.

It is wintertime there now. The sun has gone down; only a few hours' light in the middle of the day. The ground is frozen as hard as a rock. Those beautiful streams are now nothing but threads of ice. The snowy blasts of winter are sweeping down those mountain gorges with terrific fury. The thermometer is below zero. Those Indians are in their little dark huts, depending on those dried fish to keep them alive until spring. They know that whenever the salmon supply is exhausted in those streams they are going to face starvation, or else be dependent on the cold charity of an indifferent world.

It was a protest against that possibility, that horrible contingency, that this old Indian chief was bringing to the President of the United States—the court of last resort. If President Harding had lived to return to Washington, no doubt

he would have recommended the passage of laws that would have relieved the situation.

Some time ago we had before the Committee on Territories a man who kept telling about the marvelous timber supply of Alaska. It had been cruised, he said, which showed the amount to be about 70,000,000,000 feet. I asked him, "Will you please tell me which scale you use?" He said, "We use the Scribner scale." I shall not go into the distinction between the standard scales, the Doyle and the Scribner. Every man who is informed on that subject knows that when timber is measured by the Scribner rule it will not turn out according to the measurements, where the trees are as small as they are in Alaska. From the cursory investigation that I made, I believe there can not be more than 30,000,000,000 or 35,000,000,000 feet of merchantable timber in Alaska. Besides, it is all soft. It is spruce, fir, and hemlock, and is nearly all low and scrubby. It is so soft that it can be used in this country only for the manufacture of paper, and we have so much paper material in this country already that it will be a long time before a great deal of this timber can be profitably shipped into the United States.

Then they have been telling us of the wonderful gold resources of Alaska. I think if you will investigate the history of mankind with reference to the gold production of the world you will find that, except in rare instances, gold mines have not paid. I stood beside a gold mine near Fairbanks and saw them bringing up the frozen gravel and taking the gold out of it, and I was informed that it was not paying expenses at that time.

I want to talk to you also about agriculture up there, in connection with the climate and the frozen state of the ground just beneath the soil. At one time Alaska was evidently a tropical country. Mastodons once roamed through the wilds of Alaska, larger perhaps than the largest elephants to be found in Africa to-day. By some mysterious interworld change that I do not understand, and which scientists have not sufficiently explained to me, that tropical era was followed by a cold period known as the ice age. The ground was frozen as hard as a rock, we do not know how deep. There are often found in that frozen ground to-day the bodies of those old mastodons, some of them in such a high state of preservation that when thawed out their bodies are said to be eaten by dogs, cats, and other carnivorous animals. Their tusks are used to make ivory articles. They are somewhat darker than the tusks of the elephant or walrus, but they are said to be very valuable.

That ground up there above a certain line never thaws out more than 2½ feet deep. Two and a half feet below the surface at Fairbanks it is frozen as hard as a rock. It is so hard that you can not drive a pick into it. It must be mined with an acetylene torch or steam pipe. I saw them going down into that frozen ground and thawing it out and washing the loose dirt and gravel in order to get out this gold.

Now while I am on that subject, let me say that in that far country all the streams are frozen up in winter. The rivers become solid masses of ice, possibly 8 or 10 feet thick. I was told at Fairbanks that when spring comes, after the long, cold, dark winter, those people are so anxious for a change—just as some of us southern people are now after this hard winter—that they can hardly wait for spring to come, which is heralded by the breaking and moving out of the ice. They even speculate as to when the ice will go. They place a large clock on the bank of the stream, and to it they fasten a long wire, the other end of which is attached to the ice; so that when the ice moves it stops the clock. Then they sell guesses as to the exact day, hour, and minute the ice will break. Whoever guesses the correct time, or comes the nearest to it, gets all the money paid in for the privilege of guessing. You may guess as many times as you wish; provided you pay a dollar for each guess. They call this the ice pool.

Mr. SCHNEIDER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. No; I regret I can not at this time. I will say to the gentleman, however, that I do not suppose the guessing season has opened there yet. [Laughter.]

In 1923, the ice pool at Fairbanks amounted to more than \$11,000. The ice broke at 2.13 on the afternoon of May 9. When the ice breaks, I am told that those people rush out of their houses and crowd along the banks of the stream and fairly shout for joy, as that raging, roaring, rushing torrent of ice moves out into the Yukon and on down to Bering Sea.

Then they have several months of the most delightful weather, except for the intolerable swarms of mosquitoes that infest that part of the country during the summer months. As we went through Seattle, Washington, a gentleman took my friend from Georgia [Mr. LEE] and myself out riding. He



told us he had lived in Alaska. He said the mosquitoes would almost eat us up. But he said they bit only in the daytime, that when night came they would light on the trees and on the grass, and so forth, and remain there until morning. That was a great consolation to me. I thought we could at least sleep at night.

But after we got into Alaska I saw the joke. There was no night; it was daylight all the time, and those mosquitoes worked 24 hours a day. [Laughter.]

They tell a great many interesting stories, or incidents, of the gold-rush days. I recall one in particular. They said there arrived in Fairbanks, one cold winter night back in the old days, an ignorant Swede who had managed by the hardest to make his way to that place across the country from the Klondike field. He had a large quantity of gold dust he had saved up and was trying to get passage to the sea coast, so he could return home and enjoy it. A couple of gamblers got hold of him, made him drunk, and robbed him of everything he had. In order to give their conduct the color of common honesty they executed a deed to a worthless claim they owned near Fairbanks and stuck it in his pocket, to make it appear that they had sold it to him for the identical amount of gold dust they had taken out of his pockets.

When he came to himself he was penniless, friendless, and among strangers, with nothing to eat and no place to live. At that time there was a firm doing business at Fairbanks that would furnish food and supplies to anyone who had a claim and was working on it. So, in order to get something to eat, this Swede went out on his claim which he had "purchased" from those gamblers, and began sinking a shaft. To the surprise of himself and everybody else he struck a rich vein of gold. He sold his claim for \$400,000. He then hunted up his gambler "friends" and gave them \$10,000 apiece for their "kindness" to him, when he came to them a stranger and they took him in. [Laughter.]

As to the agricultural possibilities, I desire to say that, in my opinion, Alaska, from an agricultural standpoint, can never be developed except to the extent of raising the vegetables, and possibly a little grain, that those people may need for their own use. It will never be worth anything so far as shipping agricultural products out is concerned.

They grow possibly the largest rhubarb in Alaska to be found in the world; they grow some of the largest Irish potatoes. Because, in the first place, in the summer time they have continuous sunlight, so that foliage of a certain kind grows very rapidly. Besides, the ground is full of water.

Two and a half feet underground it is frozen so hard that the surplus water can not escape. Therefore it soaks into these vegetables, causing them to grow to be very large. One lady told me they had found it impossible to develop an ear of corn there. She said she even wrote back to the States and got some sweet corn—what we call 60-day corn—but that they had never been able to develop a roasting ear, even under glass. A great many vegetables are grown there in hot-houses, such as cucumbers and tomatoes.

They grow a little wheat around Fairbanks, but, I am told, it is so hard it has to be mixed with American wheat in order to grind it. In the year 1922 the ground froze in August and killed every stalk of it. So I can assure you gentlemen from the wheat-growing States that you need have no fear about Alaska adversely affecting the wheat market in America by shipping their wheat into the United States. But they use that wheat there. They mix it with American wheat and grind it for their own use and it makes most delightful bread.

I might say in passing, that they have developed the reindeer industry there to some extent, but not to the extent that some people would have you believe. They will never be able to drive American beef from our markets, or anything of that kind. They have, I am told, possibly 200,000 or 300,000 reindeer in Alaska. They are little animals weighing about 160 pounds. We saw about 1,000 of them in the McKinley National Park, and we had reindeer meat at several places, which we found very good. It did not compare, of course, with American beef or American pork, but in far-away Alaska it was very fine.

I remember while coming down on the train with one distinguished lawyer from that Territory we were looking at some old porcupines that ran away from the road as the train passed. I asked him what they were good for, and he said, "Well, nothing. But," he went on, "there is an unwritten law in Alaska never to kill one of them except in self-defense, for," he said, "they sometimes save a human life." I could not understand how that could happen, but he said that a prospector, hunter, or fisherman who had lost his way and run

out of food and was about to starve would sometimes run across an old porcupine, and he would kill and eat it, and that would save his life. Then he said, "he would either find his way out or prefer to starve to death before he would eat another one. [Laughter.] So when you get that hungry you find reindeer meat very, very fine, indeed. It will be raised for the benefit of the people in Alaska, as it should be raised, and it will redound greatly to their benefit if properly cared for.

When I went into Alaska I thought we would find very rough, uncivilized people, but I must say that I never found a more highly developed civilization in all my rounds than we found in the Territory of Alaska. Strong men, courageous, intelligent, honest, and struggling there in that ungentle climate for a livelihood. Noble women, with their children around them, trying to make homes in Alaska. They say that the timid never start to Alaska and that the weak die on the way, and I am inclined to believe that is true.

There is another industry in Alaska that can be developed, and should be developed and encouraged in every possible way, and that is fur raising. The wild fur-bearing animals are being destroyed rapidly throughout the world, but in Alaska the people have managed to develop a few fur farms, where they raise foxes and other fur-bearing animals.

They are able to make a comfortable livelihood out of it, and the United States Government, instead of pandering to those men who go there to plunder the resources of Alaska, to mine its gold and its coal, and exploit its fishing industry for their own benefit—the American Congress and the American Government should exert every effort to take care of the resources of Alaska and see that they are developed for the benefit of those people who live in Alaska, and encourage those small industries, upon which the future prosperity of that great Territory must depend. In that way we can do infinitely more good than we can by listening to the volumes of testimony poured into the ears of committees by those elements and individuals who want to exploit Alaska for their own private gain. [Applause.]

And let me say in this connection, regardless of politics, that I am on the committee with the Delegate from Alaska [Mr. SUTHERLAND], and I have found him generally striving for the very end I mention here, namely, to develop that Territory and save it for the people of Alaska, in order that in the years to come, in the long stretch that is ahead of us, when the children and children's children of those pioneers of Alaska come into their own, they may live and enjoy the happiness, peace, and prosperity which are enjoyed by the people in other sections of the United States. [Applause.]

There is one resource in Alaska that has never been touched, and that is the water power. We legislated yesterday with regard to the greatest water power possibly in continental America—Muscle Shoals.

But there are water powers in Alaska, in my opinion, equal to that of Niagara Falls or Muscle Shoals. They are most abundant. I remember down at Skagway, the old gateway into the Klondike field, a place which, by the way, will become the mecca for those tourists who want to learn something, who want to find out and see what there is in the world of interest to see, instead of going to Europe to exhibit their fine clothes—those people, the brains of America, who go to seek out the great things of the world to see and investigate, when they realize what there is in Alaska to look at—Skagway will become the mecca of that far country. While walking the streets of that town, I heard a terrific roaring. I looked up on the side of the mountain, and I saw a waterfall plunging from one lake down to another, and I was told that the fall between those two lakes was 2,500 feet. This water was coming from a great melting glacier on top of that plateau, and all during the summer months it poured over there sufficient water power to turn the wheels of any machinery, almost, in the world. There we found those raging streams, such as the Nenana and the Tanana Rivers, the Susitna River, and all the other great rivers in Alaska, furnishing sufficient water power to run any kind of machinery that might be placed there during the summer months after the ice has disappeared.

In the far distant future these water powers will be developed, and then will Alaska become, as it were, the Norway of the American Continent. Not only that, but every man who has the money, who is able to take a trip to another country for pleasure or to look at the scenery of the world, can find no place on earth where his ambition in that regard can be more highly gratified than to go to the Territory of Alaska.

I stood on a hilltop near Fairbanks and looked upon the midnight sun, breaking through a mist of clouds that skirted the northern horizon, its tender rays fell upon those ice-crowned, snow-capped mountains and lighted them up with a



mellow glow of burnished gold that presented a picture no painter can ever reproduce and human language can not describe. It was the most weirdly fascinating experience I have ever had. I felt as if I had been transported to another world.

At this point there is established a college for the education of the Alaskan boys and girls, and I dare say it is about the best mining and engineering college, especially from the mining standpoint, on the American Continent. They have only 61 or 62 students there, it is true, but they maintain a very high standard. It may be interesting to you to know that Fairbanks is the farthest north a college was ever established; the farthest north a railroad iron was ever laid, and the farthest north a Masonic lodge was ever opened. It is at the end of the iron trail.

As we came back down the railroad one night, we swept around a bend of the Susitna River when Mount McKinley, the highest mountain on the Western Hemisphere, loomed into view—one compact pyramid of snow and ice from its base to its top, rising to an altitude of approximately 21,000 feet above the sea. It was 11 o'clock in the afternoon. The sun had just passed beyond it, and blazing out from behind that glittering mass of snow and ice, lighting up that northern segment of the sky with an amber hue, it presented the most overwhelming picture I think it has ever been my privilege to see.

I sat on the rear of the train after all the others had retired, gazing upon that strange apparition, as it gradually disappeared behind the rising fogs of the Susitna.

Suddenly I was aroused by some one touching me on the arm. I looked around and saw the conductor pointing toward a little hut we were passing, and exclaiming, "There is where old Two-step John lives." I asked him who "Two-step John" was. He said he was an old fellow who went up into the Klondike field during the gold-rush days and became rich. He said he spent \$52,000 trying to learn to dance the two-step, from which adventure he acquired the name of "Two-step John." In that and similar ways he squandered all his money, and is now, in his old days, living out there on the bank of a little stream, possibly a hundred miles from any other dwelling house, fishing and trapping for a living and searching those mountains and valleys in the hope of striking gold and again becoming independent.

No doubt the people back in his old home State think he is fabulously wealthy, owning gold mines and skyscrapers in Alaska. And he might say, in the words of Alexander Selkirk, that, with the exception of the railroad, he is "monarch of all he surveys."

After we left Seward, we moved down the coast line to Cordova, and went out to the Copper River to look at a living or working glacier. We left the train at the bridge and walked down the east bank of the river for perhaps a half mile, until we were directly opposite the Child's Glacier—one of the greatest working glaciers in the world. That is one that is moving and breaking. It formed the west bank of the river for about 3 miles, and extended back for at least 35 or 40 miles into the mountains. It was moving down toward the river several feet each day, so we were informed, and was constantly breaking and falling into the stream. It was one continuous pop, and crash, and roar, and thunder, and echo. It was 380 feet from the edge of the water to the top of the ice, or about as high as from the street to the top of this Capitol. When a piece as large as your head would fall, it would sound like thunder. Yet we saw pieces fall as large as a small dwelling house. When they would break and roll and plunge into that cold water 380 feet below, they would seem to fairly shake the universe, as their sound would echo and reverberate through those frozen mountain gorges.

I had stood on deck of a ship at sea and watched a raging storm, where angry waves seemed to combine with furious winds to mangle heaven and sea in one implacable chaos. I thought it was the most terrible, the most sublime, the most awe-inspiring spectacle that ever came under my observations.

I had stood before the Panama Canal and looked upon that manifestation of American genius, in the construction of one of the greatest engineering projects of all time, and felt a thrill of national pride as I contemplated my country's position of preeminence among the nations of the earth.

From the sky line boulevard above Berkeley, California, I had looked down upon the Golden Gate, guarding the city of San Francisco, as the sun gradually sank beneath the troubled waters of the Pacific, literally turning the "ocean's blue to gold," and I thought it was one of the most serenely inspiring pictures I had ever seen.

I had stood "on top of the world" at Fairbanks and watched the sun swing north at midnight, and gazed upon Mount Mc-

Kinley silhouetted against its amber glow, which resembled the light of an eternal morning, breaking over the peaks of time.

But of all the experiences I yet have had, I believe I have the greatest desire to stand again on the banks of Copper River and watch that gigantic pile of glacial architecture breaking and falling into that cold stream, as it has been doing for hundreds of years, and will be, perhaps, for hundreds of years to come.

After we left Cordova, and while sailing down the coast toward Skagway, I sat on deck and watched the sun go down. We were far enough south by that time that it remained out of sight for several hours every night, although I can not say that it ever grew dark. It sank from sight in the northwest, and I could trace its course by the change in the color of the clouds near the sky line as it moved along just beneath the horizon, until it came up in the northeast and started on its daily course.

The next morning, or I should say later in the day, I heard a great commotion on deck, and hurried up to see what it was about. I found the other members of the party leaning over the rail and looking at the coast line, which presented one of the most gorgeous pictures to be found in all the natural scenery of the world. In front of us was a range of snow-capped mountains about 350 miles long, curved back inland, in a bow shape, with the course of our ship making the string. At the end of the bow, which we had just passed or were then passing, was Mount St. Elias, which is 18,000 feet high. It is the point where Bering, a Danish explorer in the Russian service, first sighted the coast of Alaska on July 16, 1741, and claimed possession of it for the Russian Crown. He described it as a "most inhospitable land." At the other end of this bow is situated Mount Fairweather, 14,500 feet in height. Every inch of ground between those two points was covered with snow and ice which glittered and sparkled in the summer sun. While in front of Mount St. Elias and extending into the water's edge was a dead glacier more than 100 miles long.

It took almost an entire day to pass those two points. As long as we were in sight of those mountains people leaned over the rail and almost gazed themselves blind. I believe a majority of our party were of the opinion that from a standpoint of natural scenery it was the most glorious picture it had ever been their pleasure to see. Men and women who had been all over Europe said there was nothing in the Alps to compare with it.

We arrived the next day at Haines, sometimes called Fort Seward, and known to the War Department as Chilkoot Barracks. The place is called by all three of these names. It is situated on a narrow inland passage called the Lynn Canal, a very beautiful location, indeed. There we have an Army post, where several companies of United States troops are stationed.

The next morning we went up to Skagway, which is situated at the head of the Lynn Canal. At one time it had a population of perhaps 3,000 people or more. That was during the gold-rush days, when this was the gateway to the Klondike—a gateway through which many a deluded gold seeker passed, never to return. Here the gold hunters debarked and struggled up the White Pass Canyon or the Chilkoot Pass to Lake Bennett, where they built boats in which they rowed down through the perilous White Horse Rapids out into the Yukon River, and on down to the fabled fields of the Klondike. At that time the distinguished gentleman from Washington [Mr. MILLER], who was with us on this trip, was a much younger man than he is now. He was one of the first gold seekers to enter Alaska. He told us of his experiences in the Klondike on that trip, and it was one of the most interesting stories I have listened to since I have been a Member of this House.

There has been a railroad built from Skagway up to Lake Bennett and on into British Columbia. In going the 17 miles from Skagway to the watershed this road climbs to an altitude of 2,916 feet. This watershed constitutes the dividing line between the United States and the Dominion of Canada. At this point on the road the British and American flags face each other, and are the only visible evidences of a dividing line between the two great English-speaking nations of the world.

As your train climbs and loops and winds its way along the cliffs of this canyon you can look down on the old stone trail over which the gold seekers struggled on their way to the Klondike more than a quarter of a century ago. There are the old rotting bridges, the wrecks of a few decayed cabins, the fading wagon trail, to mark the path along which they trudged, in the hope of finding gold.

You can almost imagine you see them tramping over the frozen ground, tolling up the trail leading to the Klondike.



Some of them were killed by falling from those cliffs and being dashed to death on the rocks beneath. They are all gone now, and the Klondike field has been exhausted; but this old stone trail which witnessed their sorrows, their hardships, and their sufferings will ever hold a charm of romantic fascination for the countless thousands who visit that far country to look upon its wonderful scenery in the years to come.

Skagway has dwindled to where she now has a population of only about 300, whereas she once had about 3,000. Their houses are still standing and still intact. I walked down street after street of vacant houses, both business houses and dwelling houses, and I must say it was about the most lonesome feeling I have ever experienced. I can truly say that—

I felt like one  
Who treads alone  
Some banquet hall deserted,  
Whose lights are fled,  
Whose garlands dead  
And all but he departed.

But Skagway will come again. When the American people realize what wonderful scenery we have in that country, and how easily accessible it is, Skagway will become the Mecca for the intelligent tourists of the New World.

Permit me to say just a word now about the wild-animal life of Alaska. You understand we did not go far enough to reach the seal fisheries around the Pribilof Islands, and I shall therefore not take the time of the House to discuss that phase of Alaska.

But I will take the time to say just a word about the wild-animal life in the Territory proper. We voted the other day for a bill to protect the wild-animal life of Alaska, because it is rapidly disappearing. I will not go into details as to the various kinds of wild animals there, but will only mention the caribou and the moose, which furnish the people of a large portion of Alaska with a part of their supply of food. These animals come down in August or September and the inhabitants kill their supply of wild meat, or a large part of it, at that time. It is frozen and kept frozen during the entire winter. That is in the interior of Alaska.

I make these statements, and some of them may seem a good deal different from what you would expect; but I am only trying to tell of Alaska as I saw it.

My opinion is that the coal fields of Alaska have been greatly overrated. There is probably a sufficient supply of coal to take care of all her people and all the industries that will ever be placed there. But I doubt if the time will ever come, especially in your day and mine, when this coal can be profitably transported to and profitably utilized in the United States.

Now, let me make one final appeal to you. Congress should learn the facts and then develop a policy of common sense and sound judgment in dealing with Alaskan problems. I should like for us to encourage those people who have gone there to make their homes by helping them to develop that Territory. I should like to encourage those people who have gone there, just as 100 years ago our people blazed the way in the agricultural development of the Western and Southern States. I should like to see those people encouraged who are building homes for themselves, and not so much the ones who go there to exploit Alaska and come away.

In my opinion, we should give them more control over their resources in order that they may reap the benefit, raise their own taxes to carry on the work of the Territory. Let them select their own governor and other officials, if they wish, and let them know that we regard Alaska just as much their home as we regard Mississippi, Pennsylvania, and Arkansas the homes of the people who live in those States. I should like to see Congress take the hands of the Salmon Canning Trust entirely off the fisheries of Alaska. [Applause.]

I should like to encourage the men who go there and endure the rigorous and extreme climate in that country and let them know that we are protecting them, and not putting them at the mercy of a few salmon cannery men who go there simply to exploit the country. [Applause.]

I saw a large number of little fishing smacks off the coast of British Columbia. Those men were catching fish for a living. They were protected by the law of British Columbia. There were no traps, no large nets, but they could go there and catch all the fish they pleased and sell them to the cannery men or ship them to any part of the world. But when we got into Alaska we found, as the Delegate from Alaska says, that even our ex-service men were driven from the fishing grounds by the cannery men, some of the very people who had been prosecuted for selling spoiled salmon to our soldiers during the war. Congress should force them to take their traps out and let the small

men, the individuals who work for their living, enjoy the fruits of their labor, as the American worker does, or should do, in the continental United States. I believe that we should give those people as much authority as possible over the Territory, and that we should protect them in the enjoyment of life and the pursuits of happiness to the same extent that we do our people here in the States—that the wealth up there may not be used to fill the coffers of a few trusts and combinations, but that the resources of that great Territory, with its wonderful scenery, big game, and long distances, its strong men, noble women, and lovely children—that those resources may be utilized in the building of happy homes and the making of a greater and better American citizenship in the Territory of Alaska. [Applause.]

Mr. MacLAFFERTY. Mr. Chairman, I had mixed emotions as my colleague from Mississippi [Mr. RANKIN] took his seat. I did not expect to speak on this subject, but the first half of his speech I could interpret in no other way than being a desire to paint a most gloomy view of Alaska and her interests. However, I am highly delighted with the last half of his speech, and I want to commend him in all sincerity for standing before this House and portraying as he has done the wonders of that great country. I seldom take the floor here, because I never like to, unless it is to speak on a subject that I know something about that is under discussion. Oftentimes, therefore, I am content to listen, but as a western man, as a man who has lived in the far West all his life, I want to say that when I hear a Member from the Southern States make the plea that he has made for that last frontier that we own, that wonderful Territory, that almost continent, Alaska, I am more pleased than I can say.

During the first part of my colleague's speech I could not help but think that his was the language that was being used in this House about the year 1867, when the great battle raged in this country over what was called Seward's Folly, when, for \$7,250,000, this Government purchased Alaska from Russia. We realize now the wisdom of that act, and it should be forever a lesson to all of us never to try to be too sure what the future may contain. To-day we have in Alaska a country that is so large that if the map of Alaska were superimposed upon the map of the United States, southeastern Alaska would rest at about Charleston, S. C., and southwestern Alaska would rest near San Diego, Calif. This is the last great frontier, and in our hands are left the interests of this immense Territory.

I want now to correct what I think is a misapprehension that some Members have received from what my colleague said, because he painted in wonderful picture language the terrible storms sweeping down those canyons onto the seacoast. I wish I had been endowed with his wonderful gift of language. I want you to know that because of the Japanese current in the Pacific all the coast of southern Alaska clear from Bering Sea down to Ketchikan has as mild a winter as the city of Washington, D. C., or even milder. Get that thoroughly in your minds. Activity all along that coast can be just as brisk in the wintertime as it is in the summer. I think what my colleague referred to when he spoke of that icebound coast was some of the wonderful glaciers that come down to the Pacific along that coast. One of the dead glaciers, I think we were told, is 70 miles wide, but that is not any distance at all when you compare it to the total length of that coast line. The tribute that my colleague paid to the men and women in Alaska who are making Alaska went clear to the bottom of my heart, because we must depend for the future development of Alaska upon the people who are *Alaskans* and not upon the people who go there and simply seek a profit. [Applause.]

I do not condemn those latter people at all. They go there seeking a profit, and when they get it they go away. I am merely reminding you of the fact that there are such people. My colleagues who were on that trip remember that we did not get within more than about 7 miles of Fairbanks with our train because the railroad was not quite completed. The Chamber of Commerce of Fairbanks sent automobiles out to get us, and took us into town in that way. As I sat here this morning I thought of the young man in whose machine I and two or three others rode into the town of Fairbanks. He was as bright and as up-to-date a young man as I have ever seen. I remember he wore nose glasses and had a little gold chain back of his ear. He looked like one of our regular boys in this country. As we left the train he turned around, I thought at the risk of our lives, to take a look at the train. I said, "What are you doing that for?" He replied, "That is the first sleeping car I ever saw in my life." I asked him if he had never been "outside," and he said no, that he was born right up in that country. I then asked him how far he had



ever been away from there and he said that he was born over in Dawson, that then his folks came down the Yukon to Fairbanks when he was a little boy, and that he had been there all of his life. I then asked him how far he had ever been away from Fairbanks and he said that he had been in Nenana, which is about 52 miles from there. I said, "Young man, do you love Alaska?" and he said, "I'll say I do." I then said, "Listen, you may get 'outside' to perfect your education, but for God's sake stick by Alaska. Young man, Alaska has to depend on fellows like you, whose country it is, who love it, who feel the call of the soil because it is the soil that gave them their birth." [Applause.] He replied that he was going to stick by Alaska.

My colleague spoke about the reindeer herd there. I wonder if he gave you just the impression he meant to give about that industry, because it was started only a comparatively few years ago. One of the ideas was to make the Eskimo economically independent, to hold before him the lure of doing something, of building an industry. Whereas that herd was started with about 16 reindeer in 1891, to-day it is said it numbers over 300,000, and there have been countless thousands of them slaughtered for meat in that country. It is to be one of the great industries of the country. We saw a great reindeer herd which they said had from 1,000 to 1,500 reindeer in it when we were there. When they are dressed for butchering they weigh about 150 pounds. They have found that the reindeer can be crossed with the native caribou, of which there are countless thousands in Alaska, and when dressed for the butcher the cross weighs about 250 pounds.

Gentlemen, this is an appeal to you that is being made to-day for the benefit of that country, because that country's future lies in your hands, and I wish that every Member of Congress could do what he really ought to do; that is, go to Alaska and see for himself, and come away with the picture that my colleague from Mississippi has, who has just addressed you.

My friends, the only danger is ignorance. The only place where we are apt to be unwise in our legislation on any subject is on account of ignorance concerning that subject. I remember in 1898 that President McKinley went to Minneapolis to be present when the Minnesota boys came home from the Spanish-American War in the Philippines, and he cited the fact to them that at the time the Louisiana Purchase was up for consideration in the Houses of Congress that it was fought tooth and nail, that it was fought with all possible eloquence and energy. What were some of the reasons given? Well, one of the reasons given was this, that eventually that vast territory west of the Mississippi would become populated and be so far from the beneficent influences of the home Government at Washington that the people would form alliances with other peoples and drift away from us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STRONG of Kansas. I yield the gentleman five additional minutes.

Mr. MacLAFFERTY. I am making a plea for all the West, for those sections of our country that are not represented here to such an extent they can make themselves felt by their preponderance of representation. I am asking you gentlemen, who have given this wonderful attention this morning, to keep the interests of the great empire of Alaska close to your heart. We do not know, even the most optimistic of us, what is contained there as to the future in the way of the development of mines, and so forth. My friend spoke rather disparagingly, or at least I thought he spoke that way, in the first part of his speech. How do we know what vast mineral deposits are there and what the future prospects are for the wood-pulp business; what the future prospects are for agriculture? I will say this: If you go into Alaska, the greatest booster you will ever find is there. He has the booster of Los Angeles excelled. I refer to the person who is born and raised in Alaska. He loves Alaska, and he has all the faith in the world in the future of Alaska. Gentlemen, that is all I want to say. As for this bill, it does not seem to be under discussion. I hope that this House will pass it, because one of the things that is absolutely necessary in Alaska is some form of transportation over the territory covered by this proposed route, and I hope this House will cheerfully vote for it.

Mr. LINEBERGER. Will the gentleman yield?

Mr. MacLAFFERTY. I will.

Mr. LINEBERGER. How does the Alaska booster compare with the Oakland booster?

Mr. MacLAFFERTY. Well, there are a few Oakland boosters.

Mr. LOWREY. Would the gentleman dare to compare him with the Florida booster, especially of Miami?

Mr. MacLAFFERTY. I will tell you one thing. I have made 73 trips across this country, and I want to say this is all my country, whether it is Florida, California, or Alaska. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to speak out of order. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Chairman and gentleman of the committee: I do not often ask the attention of the House and I never do unless I have something to say or do which I think might be helpful. On this occasion I would not ask the indulgence of the committee or the House if I did not think that some things that are transpiring in this Government should be called to the attention not only of the House but of the Senate of the United States, which is the confirming body of Presidential appointees.

It matters not whether we believe in bipartisan boards in Government or not, Congress, in its wisdom, has provided many of them. Many commissions, the law provides, shall contain not more than a certain number of people of the same political party.

Having been a member of the Committee on Interstate and Foreign Commerce of this House for many years, of course, I look with rather a careful eye upon the people who are appointed to serve upon the Interstate Commerce Commission. The law with reference to the men who shall serve on the commission provides that there shall be 11 members and that not more than 6 of them shall be members of the same political party. I claim that this law has been violated by the executive department of the Government in spirit if not in letter. I call your attention to the fact that there are two, and certainly not more than three, political parties in this country, and it is usually assumed that when the President appoints a man to a bipartisan board he shall be a member of some party, and if he is an independent it shall be so stated. There are at present, according to my calculation, seven Republicans on the Interstate Commerce Commission. They are as follows: Mr. Cox, Mr. Lewis, Mr. Campbell, Mr. Esch, Mr. Aitchison, and Mr. Meyer. There are four members of the commission who are Democrats: Mr. Hall, Mr. McChord, Mr. Potter, and Mr. McManamy. The eleventh member of the commission is Mr. Eastman, appointed December 26, 1922. Is he a Democrat or is he anything but a Republican? He says he used to be a Republican but that he is not now a member of any party, which specifically says to me that he is not a Democrat. That is one thing certain.

Mr. UNDERHILL. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. UNDERHILL. Mr. Eastman was commonly supposed to be the mouthpiece of Justice Brandeis, when he was in Massachusetts.

Mr. RAYBURN. Mr. Eastman says he was a Republican as long as he was a member of any political party.

Mr. UNDERHILL. We never looked upon him as such.

Mr. RAYBURN. That is what he told me. Yesterday, or day before, it developed that Mr. Potter, a Democrat, on this commission, was going to resign. Of course, anybody would have thought that there would be somebody who even looked like a Democrat appointed to that position, but a Mr. Woodlock, from New York, has been appointed to succeed him. Now, he may be a Democrat or he may not be a Republican, but he voted for Mr. Hughes for President, and he voted for Mr. Coolidge for President—so the papers say. Another qualification which he may have is that I understand he now is or was a director in two railroads and that he is otherwise qualified by having been a writer on a New York paper.

Now, my friends, it matters not to me whether Mr. Coolidge, or anybody else who is President of the United States, believes in nonpartisan boards, but as long as that is the law of the country it should be followed, at least, by the Chief Executive. [Applause.]

I cast no insinuations, I make no charges, but it is interesting at all times to know who are the main indorsers of men who are appointed to office. The Washington Star of January 27 says that Mr. Woodlock was indorsed by New York business men and names only two, they being Frank A. Munsey, publisher, and Matthew C. Brush. It is interesting also to note



that Mr. Brush, who seems to be the main backer of Mr. Woodlock, has connections as reported in the Directory of Directors, as follows:

Chairman of the executive committee and division of American International Corporation, 120 Broadway.  
 Allied Machinery Co., chairman of the board of directors.  
 American Balsa Co. (Inc.), chairman of the board of directors.  
 American International Shipbuilding Corporation, president and chairman of the board of directors.  
 Atlas Tax Corporation, director.  
 Baker, Kellogg & Co. (Inc.), chairman of the board of directors.  
 Ballard Oil-Burning Equipment Co., chairman of the board of directors.  
 Balsa Refrigerator Corporation, director.  
 Boston Elevated R. R. Co., chairman of the board of directors.  
 Brooklyn-Manhattan Transit Corporation, director.  
 Carter, Macy & Co. (Inc.), chairman of the board of directors.  
 China Corporation, The, director.  
 European Textile Corporation, director.  
 G. Amsinck & Co. of Mexico, chairman of the board of directors.  
 General American Tank Car Corporation, director.  
 Horne Co., director.  
 International Acceptance Bank (Inc.), director.  
 International Mercantile Marine, The, director.  
 International Products Co., chairman of executive committee and director.  
 International Steel Corporation, director.  
 Massachusetts Realty Commercial Co., director.  
 Missouri Pacific Railroad Co., director.  
 New York Rapid Transit Corporation, director.  
 New York Shipbuilding Corporation, director.  
 Pacific Mail Steamship Co., chairman of the board of directors.  
 Poldi Steel Corporation, director.  
 Quezada & Co., chairman of the board of directors.  
 Republic Iron & Steel Co., director.  
 Rosin & Turpentine Export Co., chairman of the board of directors.  
 Second National Bank of Boston, director.  
 Siemens-Carey Railway & Canal Co., director.  
 Simms Petroleum Co., director.  
 Submarine Signal Co., director.  
 Texas & Pacific Railroad, director.  
 Ulen & Co., director.

Further than that, in the short time I shall take I desire to say this: It is strange to the people in the great section of the country from which I come, the great Southwest—Texas, with its 15,000 miles of railroads, presenting a transportation problem of its own, and all of the country south of Kentucky and all the way west to California, that great, rich, and fast-developing country—that every time a vacancy occurs upon the Interstate Commerce Commission that many States in that section come to the President of the United States—and this is applicable to all of the administrations in the last 12 years—asking and pleading that that great South and great Southwest be recognized at some time upon this commission, but it has never yet been done. We wonder sometimes, with our great problems of transportation, whether we are yet considered a part of the Federal Union. The last time a splendid man from Alabama was presented. Republicans and Democrats alike in Kansas presented the name of a Kansan for this place, and all the people in Texas were there advocating the appointment of the chairman of our railroad commission or the retiring governor of our State.

They are men who know the transportation problems of that great section, yet it seems it is impossible for us to have any participation whatever, as far as membership is concerned, upon this commission that so vitally affects us in all of its regulations, in all of its rates, and all of its acts.

Mr. MOORE of Virginia. Will the gentleman from Texas permit a question?

Mr. RAYBURN. Yes.

Mr. MOORE of Virginia. And is it not true that in the great section to which the gentleman refers, the transportation problem has aspects that are altogether dissimilar from the aspects that the transportation problem has in other sections?

Mr. RAYBURN. I thank the gentleman. I said the great Southwest, even the State of Texas of that great Southwest, with its 15,000 miles of railroads, many thousands more than any other State in the Union, presents a transportation problem within itself that should be registered in the Interstate Commerce Commission and in its proceedings and its decisions. I thought it not amiss to call attention to the fact that in this commission and the appointments made upon it, the law, the spirit of it at least, is not being followed and

it can be stated with as much emphasis and with as much fact that it is not being obeyed in its spirit or in its letter with reference to other nonpartisan commissions of this Government.

I think it serious enough that the Senate may look well into the matter and exercise its lawful functions.

Mr. STRONG of Kansas. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. UNDERHILL].

Mr. RANKIN. And I yield the gentleman from Massachusetts [Mr. UNDERHILL] five minutes.

Mr. UNDERHILL. Mr. Chairman, I doubt if I shall take up the time that has been so courteously yielded to me. Many of those who took the trip to Alaska a year ago last summer have registered their impressions, and as I was a member of that party I, too, may add a little something to the general information.

I think if I had only been accorded one minute's time I could have summed it all up in the statement that there is too much Government and too few Guggenheims in Alaska. Guggenheim in this instance means private development.

I do not mean to say there should not be conservation of the fish in Alaska. This is a valuable industry, well established, which may be ruined by the greed of those engaged in the canning industry; but I do not believe the Government should take the attitude it has taken with regard to coal, oil, water power, gold, copper, and timber in this great possession of ours.

If we give the pioneer a gambler's chance, with a free rein, we need not bother ourselves with the development or the future of Alaska. Those hardy, courageous individuals, if given a square deal and a fair chance, will take advantage of it; but they are not going to endure the hardships and the chances of failure which come usually to a pioneer industry or a pioneer himself unless the Government is willing to give at least a 50-50 break, and the Government does not do it at the present time.

There is that great mining plant at Juneau, known as the Juneau-Alaska Gold Mining Co. This is a quartz-mining proposition. It goes into the middle of a great rocky mountain. The tramcars go in through an electric system which they have developed and by gravitation mining take out this ore, bring it to a mill on the side of the mountain, which has 12 or 15 stories, and again by gravitation they bring it down, and in each story they crush and wash this quartz until at last on the bottom floor they take out about 50 cents to 70 cents worth of gold for every ton of quartz mined. This industry required an expenditure of over \$7,000,000 before "they saw the color," as it is called up there. Seven million dollars of private capital was expended in this venture with a chance that it might prove absolutely worthless, which is now giving employment to a large number of men and adding to the wealth of the Nation. Under the present law that mine never would have been started.

Then you can go, if you please, farther back into the interior. The time was when prospectors were very ready to start out into the unexplored regions. There were hundreds of them willing to go out and take a chance on finding some rich mineral or metal deposit. The prospector has just about been driven out of Alaska. Why, about the only thing there is left in Alaska to-day that can be developed successfully without interference on the part of the Government is the tourist business. You have hedged around all the timberlands, you have hedged around all the coal deposits, you have hedged around all the mining and oil propositions with such restrictions that no sensible man is going to go in there and take the chance, and consequently the population of Alaska is leaving Alaska.

Mr. RANKIN. Will the gentleman yield for a question?

Mr. UNDERHILL. I will.

Mr. RANKIN. Does not the gentleman think, in that connection, that if we would give the people of Alaska more voice in the supervision of their own resources it would tend to encourage development there and encourage people to come there and live and encourage those who are there to remain?

Mr. UNDERHILL. Absolutely. That is the solution of this problem. This paternalism on the part of the Government through the medium of Congress, largely, is to blame for the lack of development, or, rather, the further development of Alaska.

Let me quote you one other instance of private endeavor in Alaska: We have established a railroad there that shows quite a deficit every year in its running operations, but the Guggenheims—to some Members of Congress those men are devils with hoof, horn, and tail, because they represent capital, because they represent property, because they represent the interests, whatever that may be—the Guggenheims went into Alaska and developed a mine some 60 to 80 miles away from the coast.



They built a railroad up through there, and they run it on schedule. They bring down tons and tons of copper to a little seacoast village; that is, it was a little seacoast village when it started, but it is quite a thriving little seaport town now, called Cordova. They have a line of steamers running up there, and they bring the ore down to the States and have it smelted. They run this railroad without Government assistance, and I assume they run it at a profit. It is true they charge more per mile for passengers than they do on the Government railroad. It is true they charge more per ton for freight than they do on the Government railroad, but it is strictly a business proposition, and you can not expect them or anybody else to put their money into a proposition unless they see a possible profit. In time these people would have developed a water power and smelted the ore in Alaska, but they will not do so under present Government restrictions and requirements.

Under the rules and regulations of the department the Guggenheims could not and would not develop another mine. What happened when a lot of men went up there and took holdings in the coal district? Not one had capital enough to properly develop the small holding that he had, but they all got together on the proposition to develop this coal-mining industry in Alaska. They were haled before the court, charged with fraud and collusion, and for years and years that case has dragged on, and there never has been a conviction on that account. Yet you would think, to have read the papers a few years ago, that when Mr. Ballinger and Mr. Pinchot were having their controversy, that there was only one side to it; that posterity and the future were to have all there is in Alaska. Well, if that is the theory on which we are going to work, we might as well drop all idea of development; we might as well drop all idea of improvement and tell the people in Alaska that are looking hopefully forward that the best thing they can do is buy a return ticket to Seattle and wait for posterity for whom you are holding the land to develop that country. Let the timber rot on the stump; let the oil seep down to the wells in British Columbia, and the gold be washed down into the sea. Tell me what good will it be to posterity. By that time the Government will have learned a lesson, will have learned that private ambition and private capital will develop and grow and increase much faster than Government operation with money dragged from the pockets of the taxpayers from other sections of the country. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. RANKIN. I yield to the gentleman two minutes more.

Mr. UNDERHILL. I have neglected to say something on this bill. This particular piece of paternalism might be justified because, as I say, the Government has eliminated all chances for growth in other directions. If this will assist the one thing they have left untouched—that is, the tourist business—let us put it over for the brave and hardy souls back there who want us to do something in their behalf.

It is the most wonderful country from a scenic point of view that there is in the world. People who have been to Alaska have told me that they have been all around the world and that the Swiss Alps or the great mountains in Japan can not compare with the mountains of Alaska. People have told me that the lakes of Alaska and the rivers and the scenery which surrounds them are the most wonderful and beautiful in the world; that the Yellowstone and Glacier Park and all the great reservations which the United States has made, and rightfully so for posterity, can not compare in grandeur and beauty with the scenic wonders of Alaska.

If we can induce the people to go there, if we can open up trade, if we can open up roads, if we can open means of communication beyond the harbors which, as the gentleman from Washington [Mr. MILLER] has said, are open all the year round, if we can open up lines of communication and transportation we are doing a kindness by Alaska. I hope the Members of the House will put back in the recesses of their minds this one thought, that if we are going to do something constructive for Alaska let us later take hold of the conservation program, rip it apart, and give everybody or anybody who will a chance to do something worth while without the attending, pampering, restricting Government red tape. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield the two minutes I have remaining to the gentleman from Kansas [Mr. STRONG].

The CHAIRMAN. The gentleman from Kansas has 8 minutes left, and is recognized for 10 minutes.

Mr. STRONG of Kansas. Mr. Chairman and gentlemen of the committee, I was very much pleased with the address of the gentleman from Mississippi [Mr. RANKIN], especially that part of it in which he paid tribute to the great scenic beauty

of Alaska. It was my pleasure to be a member on that trip to Alaska and I can indorse all that the gentleman said about the great beauties of that country. I would advise every man and woman who wants to see the most beautiful things in nature to make that trip to Alaska.

But I did not just see the resources of Alaska as my friend did. To my mind Alaska is the greatest storehouse of wealth that this Nation possesses. To my mind we have only scratched the surface of the great resources of that immense Territory. Take the proposition of the fisheries; it is true that through lack of protection of the salmon that great industry was slowly being depleted, but in the last session of this Congress we passed a bill to protect the salmon, and I am advised that they are being protected, because that law is being enforced.

Mr. RANKIN. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. RANKIN. The gentleman heard the statement of the gentleman from Washington [Mr. MILLER] to the effect that they are taking out more salmon now than they did before?

Mr. STRONG of Kansas. I did hear that statement, and the gentleman from Washington said that he did not have the time to go into that. The fact of the matter is they are permitting the taking of salmon where they are plentiful, but where the salmon needed protection they are getting the protection that we gave them in the legislation passed last year.

Mr. RANKIN. The traps of the cannery are at the same place as when we went up there.

Mr. STRONG of Kansas. But they are not being used to the same extent.

Mr. RANKIN. They are taking out more fish now than they did before.

Mr. STRONG of Kansas. Not at the places where the fish need protection. The department is exercising its discretion in allowing the fish to be taken where they are plentiful, but protecting them where they are in danger of being depleted. That, I understand, is the answer.

The Delegate from Alaska [Mr. SUTHERLAND] informs me that the law passed is being used for the protection of the salmon.

Let us next take timber; there is in Alaska enough spruce timber to keep this country supplied with paper perhaps for all its history. This spruce grows very rapidly and reproduces itself every few years. There are areas of it almost as large as States. Next, gold; we have taken \$100,000,000 worth of gold from Alaska, and I think we have only scratched the surface. We have up to the present mostly confined our efforts to the placer mines and taken out the free gold. We have not the necessary roads to go back into those great mountain chains where there is quartz ore and mine it and haul it out. Consequently we need roads and these tramways, the very things this bill is seeking to provide in order to develop those great mines that now can not be developed because of the lack of transportation.

Take the fur industry. As I saw it on that trip it was growing rapidly. Men were going there and opening fox farms, breeding and raising those animals from which we secure such valuable furs. I was also told that the game in Alaska is just about as plentiful as it was 10 years ago. At least that is the information that I got when I was in Alaska.

Take the coal of Alaska. I saw coal veins up there 10, 20, and 25 feet thick, just a few feet apart, 25 or 50 feet, occupying one above the other the entire face of a mountain. There are immense quantities of coal there.

Mr. COLE of Iowa. Mr. Chairman, will the gentleman give us some opinion about the coal. Is it lignite, bituminous, or anthracite?

Mr. STRONG of Kansas. The coal I have just referred to is not hard coal, but it is suitable to keep those people warm up there. They can use it in their houses. In the Matanuska coal fields, however, there is steam coal, which has been approved by the Government engineers for steam purposes. That field has not been fully developed.

Mr. MOORE of Virginia. I understand the gentleman's opinion is that there can not be a proper and sufficient development of Alaska without the construction of new roads.

Mr. STRONG of Kansas. That is the conclusion of this committee and that is the reason we reported this bill.

Mr. MOORE of Virginia. I understand, further, that the current appropriations for road work in Alaska are not more than sufficient to maintain the present roads.

Mr. STRONG of Kansas. That is true.

Mr. MOORE of Virginia. And therefore the necessity for this bill.



Mr. STRONG of Kansas. Yes. These roads can not be constructed unless this bill passes.

Mr. LEATHERWOOD. Mr. Chairman, complaint is frequently made that Government regulations restrict the development of Alaska, particularly with reference to the development of its coal fields. Does the gentleman believe that it would be to the interest of Alaska to change the regulations and make it possible for an individual or a corporation to acquire large areas of the coal fields of Alaska?

Mr. STRONG of Kansas. No; and I do not think that is necessary. I think any individual can go up there now and secure the rights necessary to encourage him to invest capital in any of these industries. The trouble, to my mind, is that there are too many departments working in Alaska, too much trouble and delay for men to get their contracts. Too much departmental government.

Mr. DOWELL. Is not the question of transportation one that is very vital, especially to the coal business in Alaska?

Mr. STRONG of Kansas. To the coal business and to the gold business and to copper and zinc and lead mines and gas and oil.

Mr. DOWELL. Is not that one of the necessary things to do in order to develop that great country?

Mr. STRONG of Kansas. Certainly. I think our committee all agree on that proposition.

Mr. LEATHERWOOD. Will the gentleman explain whether or not the coal in the fields that have already been opened is of such character that it can be shipped for any distance after being exposed to the air?

Mr. STRONG of Kansas. It was being shipped from these fields to Seward, the most southern point on the railroad, and is being used there. I heard no claim that it could not be used throughout the Territory for heating purposes.

Mr. LEATHERWOOD. I think perhaps the gentleman did not get my question. That is a comparatively short distance. What does the gentleman say about whether or not it is of a character that would permit it to be shipped, say, to San Francisco or to Seattle?

Mr. STRONG of Kansas. I am not a chemist and have no personal experience and I do not know. But I saw this coal delivered to Seward. It was good coal, to my mind. When I got over to the Government port I saw a thousand tons of coal that had been purchased and brought up by ship from Seattle, and it was not, to my mind, as good coal as the Government had in Alaska, yet it must have cost much more, as it was imported into Alaska from the States.

Mr. DOWELL. Is it not a fact that the Navy Department made an investigation up there and selected some of these mines as suitable for Navy coal?

Mr. STRONG of Kansas. Yes, and are holding them as Navy reserves, but the trouble is that after the Navy reserved the steam coal for their purposes they found out that they wanted to burn oil.

Mr. COLE of Iowa. Is it not true that after they tested the coal down at Chickaloon the Navy practically surrendered those lands and had no further use for them?

Mr. STRONG of Kansas. No, I do not think that is the fact.

Mr. RANKIN. The gentleman is not speaking with reference to the Healy coal.

Mr. STRONG of Kansas. No, I am talking about the Matanuska fields.

Mr. RANKIN. The gentleman will not contend that the Healy coal is fit for steam purposes?

Mr. STRONG of Kansas. No, I said that was coal for heating purposes, but the Matanuska coal is good coal for steam purposes.

Now you take the reindeer industry. A few years ago they bought and imported into Alaska 1,200 reindeer. They have since slaughtered and sold them for food purposes and you can buy throughout northwest Alaska reindeer meat. It was served on the train that carried our party to Fairbanks and yet the increase has been such that 300,000 reindeer now remain in Alaska.

Now take agriculture; I agree with the gentleman from Washington [Mr. MILLER] that I do not think there will ever be a production of agricultural products in Alaska more than they need, but from my observation on our Alaskan trip I believe they can produce sufficient for their own use. Up at Fairbanks there is a Government farm, and when we reached there I found it was being managed by a gentleman who had graduated from the State agricultural school of my district, and everyone who visited that farm realized they were making a success of agriculture. It is a great Territory, a rich one, it will support a great population. It should be developed and

roads are necessary to its development, and this bill is a step in the right direction and should be passed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired, and the Clerk will read.

The Clerk read as follows:

*Resolved, etc.,* That the following work of improvement is hereby adopted and authorized, to be prosecuted under the direction of the Board of Road Commissioners for Alaska, in accordance with the plans recommended in the report hereinafter designated.

Nome-Shelton-Kugruk River-Keewalik, Alaska, in accordance with the report submitted in House Document No. 514, Sixty-seventh Congress, fourth session, and subject to the conditions set forth in said document.

Mr. BANKHEAD. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Line 10, after the word "document," strike out the period, insert a colon, and add the following: "Provided, That the sum authorized to be so expended shall not exceed the sum of \$750,000."

Mr. BANKHEAD. Mr. Chairman, I imagine the amendment will not meet with any objection on the part of the committee for the reason that the House document and the report referred to by the joint resolution fixed the sum of \$750,000 as the amount which the Road Commission of Alaska and the Chief of Engineers of the Army assert is the maximum amount that will be required for this improvement.

Mr. STRONG of Kansas. Ultimately it will cost \$750,000, but only \$250,000 are to be immediately available.

Mr. BANKHEAD. I know; but in this resolution you are making whatever sum may be necessary in that report authorized by law to be appropriated, and I think, as a matter of protection to the Treasury, that the maximum amount should be asserted here as a proviso to the joint resolution. I want to say in addition to that, Mr. Chairman, that I think the form this resolution is written in is a very unfortunate method of legislating. I am not going to make any objection to it, because I am not on the committee and have given this matter no special consideration, but I do not think that legislation in the form in which this legislation is presented should certainly be adopted as a precedent for the future. It merely asserts—

That the following work of improvements is hereby adopted and authorized, to be prosecuted under the direction of the Board of Road Commissioners for Alaska, in accordance with the plans recommended in the report hereinafter designated.

And then it describes certain places in Alaska between which roads are to be constructed—

In accordance with the report submitted in House Document No. 514, Sixty-seventh Congress, fourth session, and subject to the conditions set forth in said document.

It seems to me that is very indefinite, and really a very undesirable way to frame legislation, but I have no criticism of the committee, because there has been probably preceding legislation in that form, but it certainly ought to be set out, Mr. Chairman, exactly what is contemplated as far as it affects public improvements and what effect it might have upon the Treasury of the United States. I just merely want to voice my protest against legislation assuming this vague and indefinite form if it comes up in the future, and if it does, I shall undertake to make it more specific in phraseology.

Mr. MOORE of Virginia. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again reported.

Mr. DOWELL. Mr. Chairman, in reference to the criticism of the form of this resolution, I want heartily to concur with my friend who has made that criticism; and if this joint resolution did not merely provide for an authorization for this one specific project, I would join the gentleman in insisting upon an amendment to more clearly specify in the resolution itself what is to be done. But as this only provides for a specific project, I think there can be no harm in this instance in the resolution being passed—

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. DOWELL. I will.

Mr. MOORE of Virginia. The resolution as it stands, without adopting the amendment, does not carry an authorization to appropriate.



Mr. DOWELL. I was going to say that the amendment as suggested is a very proper one, and I have no objection.

Mr. MOORE of Virginia. But the amendment simply says "authorized to be expended," while the resolution does not contain the usual authorization of an appropriation.

Mr. DOWELL. Well, it amounts to that, I think.

Mr. BANKHEAD. I call the attention of the gentleman to these words:

That the following work of improvement is hereby adopted and authorized.

Mr. DOWELL. I think there is a clear authorization, and I think with the amendment suggested that there can be no question both of the authorization and the limitation, and the report of the committee referred to and the resolution itself makes it sufficiently specific.

The question was taken, and the amendment was agreed to.

Mr. STRONG of Kansas. Mr. Chairman, I move that the committee do now rise and report the resolution with the amendment, with the recommendation that the amendment be agreed to and the resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SNELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration H. J. Res. 60 had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the resolution as amended do pass.

The SPEAKER. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STRONG of Kansas, a motion to reconsider the vote by which the resolution was passed was laid on the table.

The SPEAKER. Has the Committee on the Territories any further legislation?

Mr. STRONG of Kansas. It has no more.

The SPEAKER. The Clerk will call the roll of committees.

The Committee on Insular Affairs was called.

#### SALES TAX, PHILIPPINE ISLANDS

Mr. FAIRFIELD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11956) to amend the act entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1909," approved February 9, 1909.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11956, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11956) to amend the act entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1909," approved February 9, 1909.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. The gentleman from Indiana moved that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering this bill.

The SPEAKER. The Chair does not understand the gentleman.

Mr. BLANTON. I insist that this bill should be on the Union Calendar. It is No. 239 on the House Calendar. I insist it should be considered in the Committee of the Whole House on the state of the Union, because it affects the Treasury of the United States, as it is an amendment of a deficiency appropriation bill. It affects appropriations from the Treasury of the United States. The gentleman from Indiana [Mr. FAIRFIELD] should move that the House resolve itself into Committee of the Whole House on the state of the Union. The bill seeks to amend a deficiency act.

The SPEAKER. That does not necessarily make it an appropriation bill.

Mr. BLANTON. I know, but it affects the appropriations in question.

Mr. FAIRFIELD. Mr. Speaker, the gentleman from Texas [Mr. BLANTON] is under a misapprehension. The bill seeks to amend an act of Congress passed some years ago regarding a statute passed by the Philippine Legislature, and it does not in any way affect the Treasury of the United States.

The SPEAKER. The Chair thinks it would be best to look into the matter.

Mr. BLANTON. Note the title of the bill, Mr. Speaker; it is a bill "To amend the act entitled 'An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1909.'" That bill had to be considered in Committee of the Whole House on the state of the Union.

The SPEAKER. There are many legislative provisions on appropriation bills. This was legislation that happened to be on an appropriation bill.

Mr. BLANTON. It affects the Treasury in making the changes proposed.

The SPEAKER. That is what the Chair is endeavoring to discover.

Mr. HUDSON. Mr. Speaker, if the gentleman will yield—

Mr. FAIRFIELD. Certainly—

Mr. HUDSON. The Speaker will notice particularly the second paragraph of the report.

The SPEAKER. The Chair is reading the report.

Mr. BANKHEAD. Has the gentleman from Indiana the act of February 9, 1909?

Mr. FAIRFIELD. No; I have not.

Mr. GARRETT of Tennessee. Mr. Speaker, as I understand the situation, the Philippine Legislature passed an act levying a sales tax back in 1909, and for some reason, under the organic act of the Philippines as then existing, it was necessary that the tax feature be validated by act of Congress; and so in the deficiency bill referred to in this measure there was inserted a provision—I do not remember the history of it—a legislative provision validating that act of the Philippine Legislature, and this act does not in any way carry a charge upon the Treasury of the United States. I suppose the rule of the House requiring all bills carrying a charge on the Treasury to be considered in Committee of the Whole House on the state of the Union—I have forgotten the exact language—applies and has reference only to the Treasury of the United States. This will affect the Treasury of the Philippine Islands, of course.

Mr. RAGON. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. RAGON. That act of 1909 was an act that levied a 1 per cent sales tax. The Legislature of the Philippine Islands passed and the Governor General approved an act last year increasing this tax to 1½ per cent; and so now, in order to follow out the same thing which they did in 1909, they have passed this act to validate that.

Mr. GARRETT of Tennessee. All these matters are administered entirely by the insular government. The Treasury of the United States has nothing to do with them.

Mr. HUDSON. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. I do.

Mr. HUDSON. I think the reason for the validation of this tax law is that the sales tax covers exports. The former law has been validated, and now we come to validating the act of the Philippine Legislature in increasing the sales tax.

Mr. GARRETT of Tennessee. The question here is whether or not it is one of those bills that has to be considered in Committee of the Whole House on the state of the Union.

The SPEAKER. The Chair will state that, although this act was passed by Congress, because of the organic law of the Philippines compelling such action, the Chair does not see why that would require that this bill should be considered in the Committee of the Whole House on the state of the Union. The Chair will overrule the point of order.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1909," approved February 9, 1909, is amended by adding after the end of the first paragraph under the title "War Department" a new paragraph to read as follows:

That the taxes imposed by the Philippine Legislature in act No. 3065, approved March 16, 1923, and act No. 3183, approved November 27, 1924, are hereby legalized and ratified, and the collection of all such taxes made under or by authority of said acts of the Philippine Legislature is hereby legalized, ratified, and confirmed as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed.

Mr. FAIRFIELD. Mr. Speaker, I have an hour under this. I wanted two hours.

The SPEAKER. The gentleman has an hour.

Mr. BLANTON. The gentleman has only five minutes now.

The SPEAKER. The gentleman has an hour.

Mr. SNELL. The bill has just been read the first time. It has not been read for amendment.



Mr. FAIRFIELD. Mr. Speaker, in the discussion had thus far an explanation has been made as to the purpose of this bill.

In the year 1904 they levied a sales tax in the Philippine Islands of one-third of 1 per cent of all sales. Then in 1909 the Philippine Legislature passed a law levying a tax of 1 per cent on all sales. There were suits brought in the courts by mercantile interests on the ground that that act violated the organic act. In 1909 Congress validated those acts. The Philippine Legislature last year increased that sales tax to 1½ per cent.

The Secretary of War sent a letter to the committee stating that the legislature and General Wood were in harmony upon this proposition and desired that Congress, following the precedent before, should validate the acts of the legislature of last year. That, I think, clearly sets forth the purpose in mind.

It is well, perhaps, for the House to remember that there is no contention with regard to this bill. The Legislature of the Philippine Islands passed it, General Wood signed it, and the Secretary of War, who is in charge of insular affairs, urges the necessity of it in order to clarify and to make definite the provisions of the acts, so that there shall be no occasion for interfering with the collection of the taxes. The bill is of considerable importance to the Philippine people. I think they raise about \$40,000,000 yearly for the conduct of their government; of that amount about \$13,000,000 are raised by this sales tax. It is easily collected, there are no objections to it, and the committee unanimously reported the bill.

Mr. Speaker, I now yield 10 minutes to the Commissioner of the Philippine Islands [Mr. GUEVARA].

Mr. GUEVARA. Mr. Speaker and gentlemen of the House: I rise to support the bill now before you for consideration, not because I believe the Philippine Legislature has no power to enact the law which you are now called upon to convalidate but because I believe that the passage of this bill will give our government a more stable life.

The bill that you are called upon to convalidate, enacted by the Philippine Legislature, does not impose any export tax but imposes a tax on the gross sales of merchandise. Therefore, according to our organic law, the Philippine Legislature has a perfect right to enact and pass such a law. But our merchants in the islands who are all the time claiming that we have not sufficient revenue to meet the needs of our government, and people are now contesting before the courts the validity of that revenue law as approved by the Philippine Legislature, to meet those needs, because this tax affects their business, even in the last analysis, the people are paying them.

The bill now before the House for consideration will show to the American people that the time has come for a definite settlement of our political status, and that it is our right to live under and follow a constitution formulated by ourselves. I do not deny the wisdom of the principles of the constitution enacted by the Congress of the United States for the Philippine Islands, but I believe it will be more wise and more in harmony with the principles of this Government to allow the people of the Philippine Islands to formulate and adopt their own constitution in order that they may adopt measures more in conformity with the needs of the people of the islands.

I am supporting this bill, gentlemen of the House, as a practical question for the Philippine government. Our taxpayers are suing the government through the courts, claiming that this tax is illegally collected from them, but I wish to call the attention of the House to the fact that the act passed by the Philippine Legislature, increasing to 1½ per cent the tax on gross sales of general merchandise, is not a permanent law; it is an emergency law that has no effect but for one year. This law is now being contested before the courts, and this will show that something must be done and that the Congress of the United States must settle, once and for all, the political situation of the Philippine Islands. We can not run a good government if we are always compelled to come to the United States, which is 10,000 miles away from the Philippine Islands, for every piece of constructive legislation we want to pass in favor of the progress of our people.

The government we now have in the Philippine Islands is not beneficial either for the American Government or for the Philippine Islands. If it is true that the Government of the United States in the Philippine Islands is for the good of the people, then the time has come when it must allow the people of the Philippine Islands to run their own business and not be compelled to come to the United States, which is, as I said, 10,000 miles away, to do something constructive for the people. I ask the House to approve this bill because it will be beneficial to my people and will give more stability to the government of the Philippine Islands. [Applause.]

Mr. Speaker, I yield back the remainder of my time.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. How can I get some time?

The SPEAKER. The gentleman from Indiana [Mr. FAIRFIELD] has 52 minutes remaining.

Mr. FAIRFIELD. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker, in considering legislation for the Philippine people the Insular Affairs Committee finds itself in a somewhat anomalous situation. Not a single member of that committee has ever visited the islands; our information must necessarily, therefore, come from others. How much of the information that is given to the committee is inspired by selfish reasons we are never in a position to know, but, Mr. Speaker, I can assure the gentleman who has just taken his seat, the Commissioner from the Philippines, that the Insular Committee of the House is actuated by but one motive when legislating for the Filipino people, and that is for the welfare of the 11,000,000 inhabitants of the Philippine Islands.

I believe that every American is willing to transfer to the Filipino people full measure of government when the American people feel that the Filipinos are ready for it. We have no desire to hold any people to us through force or against their will, but I think my distinguished friend will agree that there are certain obligations resting upon the American people that we must fulfill, and when the Filipino people have demonstrated that they are fully capable of managing their own affairs the American Government will withdraw from the islands. To withdraw before that time, Mr. Speaker, would be a mistake and also a breach of faith on the part of the American people.

It is the hope of the Insular Committee of the House to visit the islands this summer. The chairman of the Insular Committee has introduced a resolution which will permit the Insular Committee to make a visit to the islands for the purpose of securing first-hand information as to the needs of the islands in the way of legislation.

We hope to look into the situation that now exists over there from every angle and upon our return to be in position to present to this House a comprehensive plan or program. Every member of the Committee on Insular Affairs realizes that the present situation is unsatisfactory. American business interests in the islands are entitled to know what our plans for the future are with reference to the Filipino people. The Filipinos themselves are entitled to know just what we propose and what we have in mind, and a declaration on the part of Congress as to what may be expected in the future will have a quieting effect upon the Filipino people and a steadying effect upon American business interests in the islands.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. KNUTSON. I yield to the gentleman.

Mr. BLANTON. There are 21 members on the committee?

Mr. KNUTSON. Twenty-one members; yes.

Mr. BLANTON. And they have voted unanimously to take this trip, I suppose?

Mr. KNUTSON. No—

Mr. BLANTON. I wanted to see how unanimous it was.

Mr. KNUTSON. I do not think the gentleman from Texas will take issue with the statement that it is necessary that Congress have first-hand information with reference to the Philippine Islands. All the information we get now is open to suspicion.

Mr. BLANTON. I would be delighted if all of us could go over there at our own expense.

Mr. KNUTSON. We will be glad to have the gentleman from Texas go with the committee; in fact, we perhaps would feel at a decided disadvantage if the gentleman were not along.

Mr. Speaker, I yield back the balance of my time.

Mr. WINGO. Mr. Speaker, I rise in opposition.

The SPEAKER. The gentleman from Indiana has the right to use his time first.

Mr. FAIRFIELD. I yield to the gentleman from Arkansas.

Mr. WINGO. Mr. Speaker, the speech we have just listened to is an interesting one. It is like most of the arguments that are made against the independence of the Filipinos; nothing new; and rings the changes on the old, old philosophy of those who seek to govern others without their consent.

There is but one true philosophy with reference to this question, and it was expressed by the very lovable and wise man who said "that no man is wise enough to govern another man without his consent." The Philippine people may be a backward people. It may be that they are not capable of maintaining that peculiar form of government which the American people in their wisdom have set up here in conti-



mental United States. It also may be true that that peculiar form of government would not be best for the Philippines, but if gentlemen want to see how stale are their arguments, or if these newspaper writers, who evidently are not writing without remuneration—those of us who have been here and have gone through the fight for Philippine independence know that there are just three things that prevent the United States granting independence to the Philippines, and a tender consideration for the welfare of the Filipinos is not one of these three things. But, I say these gentlemen who preach about the wonderful Government and the pure motives we have when we seek to provide for the government of the Philippines, and these newspaper writers who talk about how it would be a tragedy to give them their independence now, they think they are original, but if they would just go back they would find back in the days when the American colonies were struggling for their independence and asserting their right to govern themselves, men stood on the floor of the British Parliament and preached the same doctrines about the uncouth people of the colonies and their inability to govern themselves that these people to-day preach about the Filipinos.

Gentlemen, I believe in the right of self-government because I believe in the capacity of self-government. Every people who inhabit the earth, however low the form of their civilization, have a capacity to set up and maintain a system of government that meets their peculiar needs. It may be that they need a strong government with a strong leader. Well, they can get it, but it ought to be one of their own choosing, one of their own creation. I do not like for my Government to hold a people who are alien in their history, in their habits, and in their customs in political bondage over their protest. That is all it is; and nations are just like men, gentlemen, you can not escape it. Oh, legislative bodies can write their little statutes and they are evaded. They are nothing but legal cobwebs frequently, but there are certain forces that never miscarry. There are certain laws of life that are exact and never fail to operate.

There never was a people yet that held another people in bondage that did not pay the price of that curse, and this Nation has got to pay the price for holding the Filipinos in bondage against their will.

Mr. BLANTON. Will the gentleman yield?

Mr. WINGO. I yield.

Mr. BLANTON. Will not the gentleman tell us the three reasons?

Mr. WINGO. If I thought the gentleman was asking for information, I would give it to him.

Mr. BLANTON. I would like for it to go in the Record.

Mr. WINGO. It has been put in the Record a good many times and I do not want to be drawn off on that. I am trying to confine myself to thinking out loud and relieving myself so far as I can of the odium of holding another people in bondage.

Mr. BLANTON. Will the gentleman yield further?

Mr. WINGO. Yes.

Mr. BLANTON. It was for information, because every day I am getting requests from school-teachers and school children just now in different portions of my State saying that this is a live question with them and to please send them data on just why the American Government refuses to give them independence. I thought if the gentleman would put the three main reasons in the Record I could send them a copy of the Record and show them why.

Mr. WINGO. The gentleman can refer to the debate, the very lengthy one, on the Clark amendment. It was discussed very fully at that time.

One of them is the bondholders, the other is the sugar interests, and another is the question of church property. We do not gain anything by hoodwinking ourselves. Those are the three interests. I do not blame any of those interests for being alarmed. I am not talking about the merits of their contention, but, gentlemen, you can sugar coat it as you will, if it were not for those three causes we would not keep the Philippine Islands in political subjection three months. [Applause.]

It is not a light question. I come back to the thought I expressed a while ago. It is not a light question, because history shows that nations, like individuals, pay the price of every misdeed.

This Nation has got to answer for the curse. This Nation which first sprang into existence asserting the right of self-government; this Nation whose whole philosophy of government is founded on the inalienable rights of men to life, liberty, and pursuit of happiness, unfettered by any other will

except their own, can not violate the fundamental philosophy of its existence and prosper. It has got to pay the price. [Applause.]

Gentlemen talk about going to the Philippines. Does the gentleman from Minnesota have to reach beneath the tropical skies of the Philippines to find the true philosophy of government that should guide the American people? All he has to do is to go to the Declaration of Independence and the Constitution of the United States to find the philosophy that should guide him.

Mr. BLANTON. That would be too short a junket. [Laughter.]

Mr. WINGO. Talking about a junket, I am going to make a statement, and it is no reflection upon any Members of Congress. If every Member of Congress could go over all the 48 States and come in contact with all the different activities it would be money well spent by the taxpayers, because we would have a broader vision and a wiser insight into the actual necessities of the country. [Applause.] For that reason I always respond to the call anywhere in the United States to talk to any group of men, because I feel that I always get more than I take. I like to meet men from other parts of the Nation. I like to talk with people who make up the different parts of the Nation, and every time I go I come back more firmly impressed than ever that the true philosophy of government is that of local self-government. Let each people determine for themselves their peculiar habits, how they will handle their own little local problems, and when you come to that philosophy you find the Filipino bobbing up and saying, "Yes; what about these people over there?" Look at the Commissioner of the Philippine Islands and tell me that a race of people that has produced a Quezon and this gentleman can not evolve from themselves a system of government. [Applause.] Go and read the story of the development of the school system of the Philippines. You may say that we gave it to them machine made. I deny that. You may have given them the mechanics, but I have talked to men who have been over there and they say it is one of the most remarkable public-school systems on the face of the earth. They are learning to grasp things worth while. These people who come up from a lower state and grasp the things worth while, assimilate culture and refinement and education, respond to a flame that is in every breast to be independent. You may suppress that flame and smother it, but sooner or later it will burst beyond the confines of your restraint, and the thing I fear is that you will postpone the day so long that it will become interwoven with international questions, and my boy and your boy, possibly, will be called on to go down on the red field of battle and fight for the abstract honor of the Government involving the control of the Philippines. Your boy and my boy will have to go to maintain that war that you assert is a benevolent war against people who protest against its very benevolence.

I am not going to pursue the matter any further. I did not want the opportunity to pass without registering my protest as a citizen of this Republic against my Nation holding another people in political bondage. That blood guilt ought not to be on the Nation's soul. We ought to let the Filipino people go their way and order their life to suit themselves. If we want to protect them in a benevolent way, we can—though I do not advocate it—arrange an agreement with other nations that will maintain their stability and independence. But let them work out their own destiny, and let us show them that we believe that no man is wise enough to govern another man against that man's consent. [Applause.]

I reserve the balance of my time.

Mr. FAIRFIELD. Mr. Speaker, I could not keep still and have a man assert on the floor of this House that the only reasons for maintaining our government in the Philippines are sugar, the bondholders, and church property. Personally, I have never been more deeply interested in any subject than I have in the subject of the government of the Philippine Islands. It is easy to speak in general terms; it is easy to question motives and assert reasons. It is easy to talk about self-determination. Both the fool and the wise man are self-determined. The fool follows his impulses and the wise man follows his reason. If it be true that no people anywhere at any time under any circumstances should control any other country, then to buy wholesale even a little island, populated by a black people, 90 per cent of them, and put them under military rule is contrary to the basic principles enunciated by the gentleman who just preceded me.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. RANKIN. Is the gentleman referring to the Filipinos as a black people?



Mr. FAIRFIELD. I refer to the islands purchased not very long ago in the Caribbean Sea, having a population of forty-five or fifty thousand people. We purchased them from Denmark. What about self-determination for those people?

Mr. RANKIN. But when we took them we did not promise them independence.

Mr. FAIRFIELD. Certainly not.

Mr. RANKIN. And we promised the Filipinos independence.

Mr. FAIRFIELD. Certainly, and we will fulfill our promise.

Mr. RANKIN. It does not look very much like it now.

Mr. FAIRFIELD. No public man, no administration since the acquisition of the Philippine Islands but has reaffirmed the purpose of the United States to ultimately give the Philippine Islands their independence.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. WINGO. Will the gentleman lay down a rule which will determine just when we will do that?

Mr. FAIRFIELD. No man is wise enough; but I may say for the information of the gentleman that we have a bill reported out of the committee that would grant that independence in 30 years, amended subsequently by the members of the committee to grant it in 20 years—a definite statement.

Mr. WINGO. Will the gentleman explain what is the particular virtue in deferring it for 20 years over deferring it for 20 months? Why will they have rights 20 years from now that are not inherent at this hour?

Mr. KNUTSON. Mr. Speaker, if the gentleman will yield, would it not be just as logical to ask why not confer the power to vote upon a babe at the moment it is born?

Mr. WILLIAMS of Texas. Mr. Speaker, will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. WILLIAMS of Texas. Is it not a fact that before this bill was voted out that committee went on record 11 to 5 for immediate independence and that that bill was never able to get out of the committee?

Mr. FAIRFIELD. That is a fact; but the committee after further hearing and thorough discussion and further knowledge of the subject made up their minds that they had been mistaken and voted out another bill.

Mr. WINGO. Does the gentleman mean the committee was mistaken as to the expediency or as to inherent principles of liberty?

Mr. FAIRFIELD. I think the committee was mistaken both as to the protection of the inherent rights of the large submerged population in the Philippine Islands, and they were wrong as to the expediency. Both questions were involved in that.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. FAIRFIELD. I can not now. Men who are at all acquainted with history will understand that the evolution of a people is a slow process. It has been stated, without contradiction, and I think believed in by the Filipino people themselves, that more progress has been made in 25 years under the American Government than in 300 years under Spanish rule. [Applause.] They came to us accidentally. They came unsought. They have not been exploited. To-day under American rule their natural resources, their agricultural lands, are still controlled by the Filipinos. They have gradually been given larger and larger opportunities for self-government. Under the League of Nations treaty we have mandates, and my friends on the Democratic side of the House have anathematized the Republican side because we did not enter the League of Nations.

Under the League of Nations we have mandated territory, and I have had men and women say to me at home that we ought to go in and take the mandate for Armenia! Strange is it not, that we should be so solicitous about mandated territory all over the world, when we have an obligation of a dependent people whom we have treated rightly, whom we have never wronged, to whom we are giving gradual emancipation, intellectual and political—strange that people should say that we are holding them in political bondage!

I want to register now a protest here personally. I am no bondholder. I have no sugar interests. Personally I have no antipathy toward any great church, although I think it ought to be controlled and subordinated, so far as political questions are concerned, to the Government itself. As a man studies the whole proposition more and more, he is convinced that with a people of 11,000,000—800,000 speaking Spanish, 1,200,000 speaking English, and the other 9,000,000 speaking 87 different dialects—we should go on with the school system, and perhaps in another generation sufficient numbers will have

been taught a common language and have been so developed that they can build and maintain a representative government. Economically it would be a crime to now throw them into self-government and to withdraw. The gentleman from Arkansas [Mr. WINGO] says that we might call the nations of the world together and guarantee their integrity. That is a difficult proposition. Possibly upon the floor of this House it would receive as much opposition as the present situation calls forth, or perhaps more. No, no. We have undertaken in this country what has never been undertaken before. A great government has undertaken to be a benefactor to a dependent people, and for a quarter of a century steadily, earnestly, honestly, successfully, we have wrought, and we are going on in that steady course.

Unfortunately at the very beginning it was made a political question, and imperialism became one of the slogans in that political campaign, but after a quarter of a century of studious application more and more men are taking the position of their own judgment as to what course should be followed—

Mr. RAGON. Will the gentleman yield?

Mr. FAIRFIELD. I will.

Mr. RAGON. I noticed the gentleman a while ago, in saying these were not homogeneous people, said that in their language they had 87 dialects. I am sure the gentleman will agree with me that no better authority on the Philippine Islands can be found than General McIntyre at the head of insular affairs, and I notice that in his report as far back as 1914 he said that the people usually say that there are 17 dialects, but generally speaking there are about 5 that are quite distinct, and I can not understand, when here is the direct statement, the gentleman's authority for saying—

Mr. FAIRFIELD. Oh, I have talked with the Filipino people in regard to that and they have stated that there are as many dialects.

Mr. RAGON. But here is a man that knows more about it than anybody else, and he says there are only five distinct dialects, and that is back in 1914. Now, since 1914 it is generally agreed by everybody that the progress in education has been exceedingly marked, such as it was prior to 1914. Is not that the fact?

Mr. FAIRFIELD. I have quoted my understanding; I am quoting only from what I have heard.

Mr. RAGON. If the gentleman will yield for another question right there, is it not a fact that in all of the older educational institutions and, in fact, in lots of the parochial schools, which are few compared with the other schools in the universities and colleges, that they require the English language there as the main language, and it has been adopted in measure by the Government in every way?

Mr. FAIRFIELD. That is true; and quite generally you will find people in all parts of the island who can speak English, but the older and middle-aged people can not speak it at all, and I am right in saying there are many dialects where they can not understand each other, and it is not an uncommon thing for a man to travel from one part to another who can not understand the language of the people among whom he travels.

Mr. GUEVARA. Will the gentleman yield for just one statement?

Mr. FAIRFIELD. I will.

Mr. GUEVARA. I just want to make a statement that the yearly enrollment of our public schools conducted in English is 1,200,000, and there are American public schools established in the Philippine Islands since 1901 and up to the present time. According to the most conservative estimate, the people who speak English is over 4,000,000. [Applause.]

Mr. KNUTSON. If the doctrine enunciated by the distinguished gentleman from Arkansas [Mr. WINGO] had been accepted by the American people in 1861, we would to-day have two Republics instead of one. Is not that true?

Mr. WINGO. Will the gentleman please explain why he agrees with that strange contradictory philosophy. I am speaking of the philosophy that won the Civil War and the gentleman is speaking of the philosophy of the slaveholder.

Mr. FAIRFIELD. That is by the way, of course. It is an interjection that is perhaps not pertinent to this discussion. This is true, men, that there never was a time more opportune than now to study the whole Philippine question. Economically it would spell ruin, in my judgment. Politically it would not give to each individual man any greater freedom than he now enjoys, and if after another quarter of a century the United States conducts the beneficent work that it has been carrying on, then I think we might very easily withdraw; but



to stop before the work is done, to stop in the middle of an experiment, if you please, an experiment of a strong, virile nation, rugged, an Anglo-Saxon, liberty-loving country, undertaking to take hold of another people, worthy, strong, of high capability, and give to them enough education, enough experience, and enough opportunity for organizing an economic condition so that when they let loose the Filipinos shall be able to stand alone, when for years we have fostered them and cared for them. It is not true that lust and greed and religious prejudices are the only things which stand in the way. The self-respect of this great country demands that we shall finish the task that is ours, and I hope that our study of this problem will be with an idea of some measure of the responsibility that is now ours, whatever the past may have been.

Mr. MOORE of Virginia. I find that the bill reported by the gentleman from Indiana [Mr. FAIRFIELD], as chairman of the Committee on Insular Affairs, to the House last spring, gives some estimation by the committee of our responsibility. That bill is H. R. 8856, reported May 10, 1924, and is entitled "A bill to enable the people of the Philippine Islands to adopt a constitution and form of government for the Philippine Islands, and to provide for the future political status of the same." Its two main provisions are, first, to enable the people of the islands to adopt a constitution and submit the same to Congress for ratification; and, second, that "the commonwealth thus created shall, on the expiration of 20 years after its inauguration, be recognized by the United States of America as independent." Why does not the gentleman call up that bill to-day?

Mr. FAIRFIELD. That is a very pertinent question. The reason why I do not call that bill up is that I feel very certain that that bill at this session would not receive adequate time for discussion and consideration, and I think it would be futile to call it up here.

Mr. MOORE of Virginia. Is the gentleman in favor of its provisions?

Mr. FAIRFIELD. Absolutely I am in favor of them, except that I reluctantly, of course, thought I had to obey the decision of the committee to make it 20 years instead of 30 years. I still think it ought to be another generation. [Applause.]

Mr. WINGO. Mr. Speaker, I will use a few moments. I feel myself constrained to say a word, especially concerning the suggestion interjected by the gentleman from Minnesota [Mr. KNUTSON]. He suggested that the philosophy involved in my contention is similar to that involved in the struggle of 1861, by which, if it had been successful, he says we would now have two nations. Since the gentleman touches upon political history, it might be well for him to find out who was the authority of the statement that I made the basis of my remarks. It was none other than Abraham Lincoln. I am speaking the philosophy of Abraham Lincoln when I say that no man is wise enough to govern another man without that other man's consent. The gentlemen who contend for our direction and control of the government of the Philippine Islands preach the logic of the slaveholder of the South and of the carpetbagger after the Civil War. In my humble way I raised my voice a while ago expressing the hope that the entire Nation would escape that curse, and expressing the conviction that it could not do it unless we did our duty to the Philippines.

What is our duty to the Philippines? Why, the gentleman says it is the duty of this great, strong, benevolent Government to protect those people from their own sins and stupidity and confusion of tongues. Why, if you were to follow the gentleman's philosophy, you would challenge the right of the people of the United States to govern themselves, because there are more dialects spoken in a great majority of the congressional districts that are represented on this floor than are spoken in the Philippine Islands. I have the honor to represent a district that has very few foreign-born in it, but I have 17 different languages spoken in my district. When the gentleman was describing the Philippine Islands and talking about the confusion of tongues, I thought, with all due respect to our honored Members from the city of New York, that it was a doubtful question whether he referred to the island of Luzon or spoke of the island of Manhattan or Brooklyn or the Bronx. He would challenge the right of the city of New York to have self-government because a confusion of tongues is recognized as a detriment and handicap to the exercise of liberty. You can not escape the logic of the old philosophy of the inalienable right of man to govern himself. It justifies itself by its mere expression, and all the subtleties and all the sophistry and

all the make-believe of 2.75 per cent statesmen can not escape it. You can not justify carpetbag government.

Gentlemen, you can not play with the independence of a great group of people. The gentleman from Minnesota [Mr. KNUTSON] talked of prejudices. I do not speak of prejudices. I speak of fears. I did not debate the question whether the bondholders were wise in their fears. I did not debate the question whether the sugar interests were wise in their fears. I did not debate the question as to whether the fears of religious organizations are wise or unwise. I sought to avoid those things and simply to point out the fact that everyone knows here, that when the battles for Philippine independence were fought a few years ago all three of those interests expressed fear.

Gentlemen, I am afraid of the future on this question. The tragedy of it is that these people assume a hypocritical air and say that the God of nations has called us to rule benevolently over another people. I know it is not beneficent; it is fear on the part of these interests. There is no justification for their attitude. There is no interest of church or state or countinghouse or anything else that justifies a nation, which boasts that it believes in liberty, in holding any other people in bondage. [Applause.] Mark my words, I repeat the warning of a moment ago, I predict that you will pay the price. You will pay the price, I fear, in my day and generation. You will pay it in bloodshed and treasure wasted and in the loss of that thing to which you appeal. I say to the gentleman from Indiana [Mr. FAIRFIELD], adopting the closing part of his speech, you will pay it in the loss of self-respect, because no man can maintain a consciousness of self-respect and at the same time assume an air of superiority and say that he will be the master of any other man and make him do your will and make him bow down before you and kiss your shoes and say, "I kneel to you, O, master." That is the creed of the carpetbagger.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield there?

Mr. WINGO. If the gentleman will not inject any 1861 stuff in my remarks and keep partisan politics out I will yield.

Mr. KNUTSON. Does the gentleman approve the course this Government took in 1915 in landing marines at Port au Prince and dissolving the Haitian Congress?

Mr. WINGO. Mr. Speaker, an unsophisticated country boy like myself has frequent occasion to realize that possibly he can not express himself clearly, but if I have been so clouded in the expression of the fundamental principles upon which I have bottomed my remarks on this occasion that the gentleman himself is in doubt as to my convictions on that, then I am unfortunate, indeed. I say to the gentleman, that I stand on the proposition that no people have a right to govern another people contrary to and against their consent. I say when did it become the province of any country to tell another country how to govern itself or what government it should have? I say let the Hottentot have his own little tribal government, and let the Filipino have his in his own way. Let us forget politics, and give these people their freedom.

Mr. WINTER. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. WINTER. Does the gentleman extend his principle to the American Indian?

Mr. WINGO. Yes, sir; I do. Never in all my life have I denied the philosophy I preach to-day. I have gone into court without money and without price to try to make recompense for what I have regarded as a mistake of my people by helping the weaklings who have suffered from that mistake escape the just penalty of their own weakness, recognizing that certain forces, over a period of 200 years, have sapped the moral fiber of the unfortunate offenders.

I stand for the independence of the individual; for the independence of every community to govern itself; and it certainly is the right of every people segregated away from us, as are the Filipino people, to govern themselves as they see fit. Let us rise above partisan politics and recognize their right. If they want to wallow in the mire, is not that their right? If they want a king, is not that their right? If they want to worship a totem pole, is not that their right? If they want to speak 1,000 different tongues, is not that their right? Since when did the God of creation select this Nation to go out and govern those people across the seas, speaking an alien tongue?

Mr. MACLAFFERTY. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. MACLAFFERTY. Does not the gentleman think that our Government, having destroyed the government they then



had in the Philippines, that we owed a duty to the Philippine people and to the world to establish a stable form of government among them?

Mr. WINGO. Suppose that principle had been followed a little over a hundred years ago. The territory that I come from, measured by that test, would still be the colony of a foreign nation.

Mr. MacLAFFERTY. And I will say to the gentleman that the territory from which I come would also be in the same position; but I would like an answer to my question.

Mr. WINGO. My answer to the gentleman's question is the Declaration of Independence and the philosophy of Lincoln, as well as the inherent rights of man everywhere.

Mr. MacLAFFERTY. Can not the gentleman make it more specific with yes or no?

Mr. WINGO. What was the gentleman's question?

Mr. MacLAFFERTY. My question was, that the United States Government having in 1898 destroyed the government in the Philippines—I refer to the Spanish Government—was it not our duty to the Filipino people and to the world to establish a stable form of government among the Filipino people?

Mr. WINGO. Why, certainly. But how long does it take us to do it? If we had used the capacity and the genius of the American people, it could have been done within a reasonable time. But that has not been done. Having destroyed the Spanish Government, which act was a blessing to the Filipino people, we assumed the right to govern them. We said, "We took you from under the dominion of a cruel master and we are beneficent masters. You have no right to complain, because are we not good to you? We have destroyed that corrupt government and have brought about stability," which we did within a few years. But having done that, then it was our duty to permit the Filipino people to govern themselves and go onward, at the same time standing by them for a while and steadying them as they go onward.

Gentlemen speak about exploitation, but you can not escape the logic of the very philosophy of our own Government and that is that we have the right to govern ourselves, and that no other government has the right to govern us. The doctrine you gentlemen now preach was preached in the British House of Commons when the American Colonies were protesting and insisting upon their independence, and for which the ancestors of the gentleman from Virginia were willing to fight. They referred to Virginians as barbarians; they said they were incapable of self-government; they talked about the beneficence of the government and about bringing them out of the wilderness and protecting them from the Indians' tomahawks. Ah, gentlemen, in every age the effort to govern a people without their consent has always found an argument to justify it and to show the benevolence of the master.

Mr. MacLAFFERTY. Will the gentleman yield for a question?

Mr. WINGO. I yield to the gentleman.

Mr. MacLAFFERTY. The gentleman spoke about the Filipino people having enjoyed the blessings of the Spanish Government.

Mr. WINGO. No.

Mr. MacLAFFERTY. I would like to have the gentleman's statement read.

Mr. WINGO. I said we destroyed the Spanish Government, which act was a blessing to them and upon that we predicate our present right to govern; but, Mr. Speaker, I promised not to take up too much time. I want to commend, though, to the gentleman from Minnesota [Mr. Knutson] a reading of the philosophy of Lincoln, and I want to tell him I would do for the Philippines what Lincoln would do to-day if he were here. He would say, "Rise above partisan politics and set these people free."

Mr. Knutson. Will the gentleman yield?

Mr. WINGO. I yield.

Mr. Knutson. Does the gentleman believe in enforcing the fourteenth amendment? I assume he does.

Mr. WINGO. Certainly; and the gentleman can not point to one single State which violates the fourteenth amendment. The trouble with the gentleman is he is not a lawyer, or he would know that the fourteenth amendment is not violated. If it is violated, why does not the gentleman keep his oath and see that the State that violates it is brought to book? Will the gentleman tell me what the fourteenth amendment is? I want to see if the gentleman knows what the fourteenth amendment is. Stand up and tell us what the fourteenth amendment is. Ah, the gentleman does not know. The gentleman can not even repeat the letter of it and he does not know the spirit of it. [Laughter and applause.]

Mr. UPSHAW. Will the gentleman from Arkansas tell me how much time he can grant me? I would like to have 8 or 10 minutes.

Mr. WINGO. I will say to the gentleman I have already transgressed on my agreement, I believe, in occupying so much time. I promised the Speaker if he would recognize me out of order I would not use too much time, and I fear I have already violated the spirit of my agreement.

Mr. UPSHAW. The Speaker referred me to you.

Mr. WINGO. Then I yield to the gentleman from Georgia five minutes.

Mr. UPSHAW. Mr. Speaker, recently there appeared in the Brooklyn Eagle an interview with me, which that paper sought through its Washington representative, which reflected unfairly upon the vast majority of my honored colleagues. Especially was this true of the headlines of the story which referred to "the gentleman from Georgia" as "the lone dry in the House."

I was shocked beyond measure by such a reference, and my colleagues whose personal friendship and whose daily fellowship I so much treasure will bear me out in the statement that in making my occasional pleas for sober officials—a position by which I still stand with deepening conviction—I have always declared that Congress is overwhelmingly dry, and that because of the high place which national lawmakers hold in the thought of the Nation the few who do drink the liquor outlawed by the Constitution of their country ought to be ashamed of themselves and quit drinking or quit Congress. While this position seems to me incontestable as a proper example to our youth, I have never wished to be harsh to my colleagues who make this grave mistake; and in view of many press quotations from me concerning this matter, I feel that it is only fair to my friends and to myself to say what the genial and gentlemanly members of the press gallery will testify—that during my nearly six years in Congress I have never one time sought an interview with any press representative on this or any other question not holding local interest for my district.

And whenever a newspaper or magazine has sought an interview with me I have had one supreme desire—to serve my country best by helping humanity most. In this spirit, under leave granted me by the House to extend my remarks, I print the following letter from me to the Brooklyn Eagle of January 16, with the headlines carried in that paper:

UPSHAW DECLINES HONOR OF BEING "LONE DRY M. C."; SAYS THERE'S LOTS MORE

EDITOR BROOKLYN DAILY EAGLE:

In thorough good humor, but none the less definitely, I must enter a disclaimer, partly against the story and especially against the headline of the article by your Washington correspondent, John Billings, Jr., in your issue of January 8.

The headlines of which I complain are as follows: "'Offered Me \$100 to Take a Drink, But I Refused,' Says Upshaw, Lone Dry M. C."

In the first place, I did not say it, and, in the next place, it is very unjust to the overwhelming majority of my colleagues who are dry, in precept and practice, to refer to me as the "Lone dry Member of Congress."

I am not indicting your genial and gifted correspondent with intentional error, but simply with misunderstanding in the rush of a hurried interview a story playfully told him. The story, which was "off the reel" and not intended at all as a part of the interview which he sought, was as follows:

#### TARGET FOR MUCH BANTER

One day as I walked out of the House Chamber into the cloak-room a good-natured "wet" colleague playfully said to me, "UPSHAW, come on and have a drink with me." It was simply a good-humored banter such as a number of my wet colleagues rag me with occasionally on account of my well-known dry activities. But when the Congressman said this, a mischievous member of the press gallery, representing a "damp" paper, said on the side, "I would give \$100 to see him take one."

This was not said to me, but for the amusement of several others who heard it. It was simply understood to mean that it would be a great story for the "wets" if they could catch a superdry Member of Congress taking a drink.

I am asking you to give this the prominence that the other story had, for I am too fond of my colleagues and too much interested in the reputation of the overwhelming majority who are dry to wish to arrogate such a position to myself, or allow a metropolitan newspaper like The Brooklyn Eagle to carry such a story without the explanation which I am sure you will gladly make.

One other little mistake I think calls for attention. I am quoted as having said, "I made a speech—a great speech—on 'The majesty of the law and national sobriety.'"



Somebody would justly count me a pluperfect "phule" to thus refer to my own utterances in Congress. Mr. Billings says that he made that interjection himself, having heard the speech when I delivered it a year ago at the opening of Congress, and that the proverbial "printer's devil" made the mistake.

Neither did I refer to myself as "a good, active Christian layman." Certainly, as a Christian man, I wish to be both good and active, but remembering the Bible declaration, "there is none good—no, not one," I would neither offend scripture nor modesty by calling myself "good."

#### WANTS TO SHARE GLORY

Usually I am too busy a man to attempt to correct mistakes in newspaper stories that come to me from all parts of the Nation; but having been really fond of the Brooklyn Eagle for more than a quarter of a century, and being even more anxious to be fair and square with my sober colleagues in Congress, I felt that I could not let your otherwise splendid story stand without correction.

Please, therefore, give this the prominence which you gave to the other story, and accept my thanks, not only to the Brooklyn Eagle but to your very gifted and promising correspondent in Washington, Mr. Billings, for your every courtesy.

Hoping you will drop in on me some time when you come to Washington and give an old newspaper man the benefit of some luncheon fellowship, with ice water, Coca-Cola, Nugrape, or buttermilk as a proper editorial or congressional tonic, I am,

Cordially yours,

W. D. UPSHAW.

Mr. FAIRFIELD. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. HUDSON].

Mr. HUDSON. Mr. Speaker, I thank the chairman of the committee. I do not know that I care to take five minutes, but I am interested in the statement of a Member of the House that he throws out to the world that we as a Nation exercise tyranny and are a Nation guilty of enslavement. He can not mean that. The gentleman who has just left the floor says he wants to prove to the world that we do not want to hold any people in bondage. Has this Nation got to prove to the world, after these years of history, that it is not a Nation of conquest. The world needs no proof, sir, of that. There has never been a battle fought by the American people for conquest, and there never will be.

Mr. UPSHAW. Will the gentleman yield?

Mr. HUDSON. I can not just now because I want to follow this further.

I can not quite believe the sincerity of my distinguished colleague, the gentleman from Arkansas [Mr. WINGO], who speaks here with his gifted tongue for the poor, down trodden, tyrannized Filipinos, that they should have immediate independence and they should have the right of self-government. Why, in the name of all common sense, did not he, a Member of this body when his party was in power, urge his argument to the end that they authorize the independence that he speaks of now. [Applause.]

On the other hand, is it not a matter of record that because of the administration of those years the Filipino independence has been turned back a decade or two? That is the history that confronts us here to-day. It is easy enough to talk about bondholders and to talk about sugar interests and the other interests. Do not you know and do not I know that the Filipinos to-day are asking for outside capital to come there in order that, by further development of their natural resources, they may have bread to eat, clothes to wear, and increased incomes. There is no interest considered but theirs. I charge anyone to show one time in all these years that have gone by when we have departed from the determination at the proper time to give these people their independence. My colleague from Arkansas says that he dreads the day when our sons shall pay with their blood for the thing that we are now doing. Members of this House, I say to you that if you turn the Filipinos loose to-day you will but invite the blood of our sons being shed for the defense of that people.

Now, the other point that I want to emphasize is that not only do we ask that this period of development may go on in order that they may come into a more complete disenfranchisement of the old régime of Spanish rule, but we want them to have an opportunity—and that is the duty of the administration to-day—that they may have the opportunity to come more surely, step by step, in the process of self-government, and when they have done that then they will be ready for the complete enfranchisement that shall be theirs. [Applause.]

Mr. FAIRFIELD. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. MACLAFFERTY].

Mr. MACLAFFERTY. Mr. Speaker and gentlemen, I live where we almost look across to the Philippines, and although I have never been in the Philippine Islands—and I state that because I do not wish to be misunderstood—I have known

considerable about them from people who have gone back and forth. That condition existed a few years ago more than it does now.

However, I do object to the inference being made, and almost a statement to the world, that this Nation ever abused any people on the face of the earth. [Applause.] I call your attention to the fact that the Philippine Islands have cost this Government of ours millions upon millions of dollars, and that the greatest act of altruism ever manifested by any government since history began has been manifested by our Government toward the Philippine Islands. There is one other thing I want to get into the Record right here because of what has been said, and that is that in my belief there are millions of people in the Philippine Islands who are praying to God that our control will not be removed over those islands. [Applause.] Another thing I will say to my friend from Arkansas is that I am not a lawyer, but I have friends who are lawyers, and I have often paid money for their advice; but I am advised that there is a grave question whether or not the United States of America can alienate any territory which now belongs to it.

Mr. BLANTON. Will the gentleman yield?

Mr. MACLAFFERTY. I will.

Mr. BLANTON. The gentleman spoke eloquently this morning on the great Territory of Alaska. Those people in the last election nominated their own governor. Does not the gentleman think that the President ought to appoint their selection and not his?

Mr. MACLAFFERTY. That is interesting but not important at the present moment.

Mr. DOWELL. If the gentleman from California will pardon me, the gentleman from Texas is mistaken. They did not nominate a governor.

Mr. BLANTON. The Delegate from Alaska [Mr. SUTHERLAND] is here, and I will leave it to him. They did nominate him in the last election.

Mr. MACLAFFERTY. As I say, that is an interesting question, but has nothing to do with this. Gentlemen, let us not make a political question out of the interests of the Filipino people. There are 11,000,000 people over there. Let us not make it a question of politics. I believe in the past that it has been made a question of politics. I believe for a few years we set ourselves back 10 or 15 years by holding out to those people false hopes. I do not believe this Government has ever made a definite promise to the Filipino people as to the time for independence. I am inclined to favor the Fairfield bill, which expresses the idea that after a few years—it may be 20 or 25 years—it should be left to the vote of the Filipino people. I do not believe the time has come now, and the time is not up for discussion. I believe that the friends of Filipino independence are injuring their prospects by discussing the question in the way that it has been discussed here to-day.

Mr. UPSHAW. Mr. Speaker, will the gentleman yield?

Mr. MACLAFFERTY. Yes.

Mr. UPSHAW. I have a perfectly friendly question that I desire to ask. I quite agree with the gentleman that America has never treated any people unjustly; but granting that ultimate independence is to come, as the gentleman says, does he not think it would be a fine handshake of confidence if we were to grant these people the privilege of electing their governor?

Mr. MACLAFFERTY. I shall take a Yankee way of answering the gentleman's question. I take it that the gentleman has grandchildren, as I have—five of them. Simply because I like his grandchildren, does the gentleman think that I would be doing them a favor to let them play with razors and things of that kind?

Mr. UPSHAW. I hardly think that enters the question of fundamental democracy.

The SPEAKER. The time of the gentleman from California has expired.

Mr. WINGO. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. RAGON].

Mr. RAGON. Mr. Speaker, but for fairness to all I would much preferred not to have taken the floor in this discussion. I regret very much, for the sake of our Philippine relations, to have heard any of the speeches made here to-day involving partisan politics, and I say that with all due respect to my friends on both sides who have spoken. If there is anything, as I see it, that means detriment to the Philippine Islands at this particular time, it is for the destiny of those islands to become embroiled in partisan politics. We can make careless statements on both sides of the House, but we ought to be very careful about our remarks on this delicate question that we are discussing. I have been on the Insular Affairs Committee ever since I came to Congress, which was at the last session. I have discussed the matter there rather heatedly with members on



both sides; but I have never yet opened my mouth in criticism of the administration of anyone, either Democrat or Republican, and I do not expect to, because in the interest of those people and the tender interest with which the United States has to deal I do not think we should make it a matter of partisan politics.

I am just as liable to err as anybody on either side, but, as I view the question from all angles, we must realize at some time in the immediate future the Philippine Islands should have their independence. I would not stand here and say that they ought to have it this year or next year, nor am I willing to take the other side and say that they never shall have it or to project their complete independence into the distant future. I can only benefit you gentlemen by giving you the facts as I get them from testimony, not from newspaper propaganda or from the words of some irresponsible propagandist verbally given.

I get them over the table in the committee room, and from these it is my opinion that the Philippine Islands in the immediate future should have independence. First, I say that from the standpoint of the interest of the Filipino people. In making Cuba an independent Republic we set down exactly our idea of what constituted a self-governing people. In defining the status that Cuba had reached we set an international precedent, and I think to all intents and purposes in that definition, which was set down by Mr. Root, the Filipino people have progressed to exactly that extent. It is idle to stand back and say that the Filipinos must become a great nation with a standing like this Nation before they shall have independence. That would be absolutely wrong. To say that they must have a status, an international influence greater than we possessed at the time that we were first recognized as an independent Republic, would likewise be un-American. The proposition comes down finally not to what sized navy they have, what standing army they have, the fullness of their treasury, or their liability to attack by another nation—because at the time we were given our independence in the territory that is now incorporated within Alaska and the 48 States there were at least the flags of four hostile nations—but have they qualified as a people, under our own definition, to maintain a stable government? We ought to take into consideration their present government and its ability to serve the best interest of the Filipino. As one gentleman suggested—I think the gentleman from Michigan [Mr. HUDSON]—we have undertaken a task and we ought to complete it. When the Filipino has learned to walk as best he can, and to walk where he wants to go, to walk in the way he should walk, what is the use of us keeping longer a guide rail for him to walk by?

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. RAGON. Every American has the right to pat himself on the shoulder and thank God that he is an American, if for nothing else than the great progress that has been made in the Philippine Islands within the time since we took them away from Spain. The most marvelous thing that I have ever read in the way of advancement of human culture is the advancement these people have made along educational lines. [Applause.] I can not agree with my friend from Michigan [Mr. HUDSON] when he takes a crack at a retiring administration and says that the Philippine Islands should have been given independence during the Wilson administration, or that they did not progress as rapidly during that administration as they did before and have since. No fact coming out in the hearings will bear him out at all in that. I challenge anyone, I care not whether he be Republican or a Democrat, to search the record and find any confirmation of that in the statement of a single man who appeared before the committee. It is not quite fair.

Mr. MANLOVE. Mr. Speaker, if the gentleman will yield, in all fairness I do not think the gentleman from Arkansas understood the statement of the gentleman from Michigan. He simply asked the gentleman from Arkansas [Mr. WINGO] why the Philippines had not been granted their independence when his party was in power.

Mr. RAGON. I do not know that would have been the best thing to do at that time, but when the gentleman says the development of the Philippine Islands from 1913 to the time that the Wilson administration went out was not the best in their history, then he says something that he can not prove.

Mr. HUDSON. Will the gentleman yield?

Mr. RAGON. Yes, sir.

Mr. HUDSON. If the gentleman will look back to the record, he will find my statement was the administration of

that period set them back for the reason that it encouraged in the breasts of those people at that time a desire for independence which was premature, and instead of going on with the period of development now they are simply wasting time, hoping that some man be elected president of that country—

Mr. RAGON. I can not agree with the gentleman upon that point. I can not yield further. I yield to those gentlemen who have spoken where I take issue with them, but I can not yield to anybody else, because gentlemen divert me from my line of thought. I can not agree with the gentleman at all. The gentleman spoke absolutely his attitude on—

Mr. HUDSON. If the gentleman will yield in that connection, I meant simply that we have two different views; that is all.

Mr. RAGON. Now, if the gentleman wants me to answer the question, I have nothing personal nor political in this. I have absolutely nothing for the Filipinos here that I would not have for any other nation, and there is no use of any man taking it either personally or politically to himself. This is a great national task, and it ought to be solved by Americans, not Democrats or Republicans. [Applause.]

Mr. GUEVARA. Will the gentleman submit to a short statement. I wish to call to the attention of the House that we are willing to sacrifice our political fortunes, our personal ambitions, to any office in the Philippine Islands that may be created if we can get our independence right now. We who lead the fight for Philippine independence will be more than glad to withdraw from public life and to retire to our private business as soon as we get our independence.

Mr. RAGON. I might say here, gentlemen, I know—and I know men on the Committee on Insular Affairs who know—exactly what within recent months brought about the acute feeling in the Philippine Islands—

The SPEAKER. The time of the gentleman has again expired.

Mr. RAGON. Will the gentleman yield me some more time?

Mr. WINGO. How much more time?

Mr. RAGON. Five minutes.

Mr. WINGO. I will yield the gentleman five additional minutes.

Mr. RAGON. I do not think it is fair to discuss the reasons here, and therefore I shall not indulge in a defense or accusation of either side. Now, I can not help but agree with the principle laid down by some gentleman, I do not know which side he was on, that when people have themselves the right of self-government, I believe they naturally develop more rapidly, making mistakes, of course, but they will naturally decline more rapidly if they are under the rule of somebody else. That is the natural trend of a people as you give or take from them an ambitious purpose. My friend from California, who has just spoken here, has frequently in the committee and upon this floor stated the fear that the Philippine Islands may be overrun by Japan or some oriental nation at some time.

Mr. MACLAFFERTY. Will the gentleman yield. I made no reference to Japan in my remarks.

Mr. RAGON. The gentleman is accustomed to make it in committee, and I thought he made it here.

Mr. MACLAFFERTY. I wish in the RECORD to state that I made no reference to that on the floor.

Mr. RAGON. Why, gentlemen, stop and think that the Philippine Islands were in the shadow of the oriental nations for 300 years, protected by nothing more substantial than the ramshackle power of the Spanish rule. Yet they were not molested. The Philippine Islands are in a climate that does not suit either the Japanese immigrant or the Chinese immigrant, if I am properly advised, and for three or four hundred years they have stayed there in close proximity to those islands, and there have been comparatively few immigrants either from China or from Japan. But, gentlemen, let us suppose just for a moment, that the people who seem to conjure up a fear that some day in the future we will have to go to war with Japan are right, where do you think that battle ground would be set if we own the Philippines at that time. The Philippine Islands would be the battle ground. I say as a matter of national defense, leaving everything else aside for the moment—as a matter of national defense it is better to cut loose from the Philippine Islands and do it at once. [Applause.] Now, my friend from California stated a moment ago, and I know he said this, that he doubts the constitutional authority of the Congress to pass any such act thereby alienating the Philippine Islands, because, according to the old theory, we have no right to alienate a part of our territory.

Gentlemen, I do not care to discuss that for a moment with anyone here who has had much experience as a lawyer or who



has had occasion to think upon this question. I just leave it, with the statement that the Committee on Insular Affairs has before them a communication from the Attorney General of the United States, Mr. Stone, in which Mr. Stone says unqualifiedly and unequivocally that the Congress of the United States can, at any time they desire, cut loose from the Philippine Islands, and that we have no constitutional restrictions whatever in so doing.

So I say, from the standpoint of the Philippine Islands, for their own good, for the sustained glory of the work we have done there, and also from the standpoint of better national defense for the United States, I think it is time for the Congress of the United States to begin to think seriously of a program in the immediate future, when we will give these people the unrestrained right of self-government.

Mr. KETCHAM. Mr. Speaker, will the gentleman yield?

Mr. RAGON. Yes.

Mr. KETCHAM. I think perhaps something not intended was injected into the debate by the distinguished gentleman from Arkansas [Mr. WINGO] when he used three words—

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. RAGON. May I have three minutes more?

Mr. FAIRFIELD. I yield to the gentleman three minutes more.

The SPEAKER. The gentleman from Arkansas is recognized for three minutes more.

Mr. KETCHAM. During the course of the remarks of the distinguished gentleman from Arkansas [Mr. WINGO] he used three words relating to our occupancy of the Philippines—the words "scourge," "tyranny," and "bondage." Will the gentleman give us the benefit of his experience on the committee and his knowledge of our relations with the Philippines by stating whether in his judgment those words could be used accurately or descriptively in regard to or in connection with our treatment of the Filipinos?

Mr. RAGON. I will say to the gentleman that sometimes statements are made that might just as well not have been made.

The SPEAKER. The time of the gentleman from Arkansas has again expired.

Mr. WINGO. Mr. Speaker, I will yield to my colleague three minutes more.

The SPEAKER. The gentleman from Arkansas is recognized for three minutes more.

Mr. RAGON. I will state to the gentleman frankly that I do not think in all the history of the world you can find a more beautiful relationship—that is, since the first three or four years after the uprising occurred over there. He will not find in history a more beautiful attitude maintained than that of the United States toward the Philippines. Except for some little unpleasant trifles that you could not expect to prevent occurring in this period of time, our relations will stand out in all time as exemplary.

Mr. WINTER. The gentleman would not compare our occupation of the Philippine Islands with slavery?

Mr. RAGON. No; I do not think anyone intended to say that this afternoon.

Gentlemen, I want to read to you two short extracts. I said this was a nonpartisan question, which should be considered from a nonpartisan standpoint. I say their progress is a matter of pride set deep in the hearts of the Filipino people, and in view of the responsibilities that we have had and still have, we should not approach this question from such a partisan standpoint as apparently it has been discussed from this afternoon. Let me read what Theodore Roosevelt said about Philippine independence in an article published in Everybody's Magazine of January, 1915. In the course of that article he said:

The present administration—

That is, the Wilson administration—

has promised explicitly to let them (Philippines) go, and by its action has rendered it difficult to hold them against any serious foreign foe. These being the circumstances, the islands should at an early moment be given their independence, without any guaranty whatever by us and without our retaining any foothold in them.

In the same article, in speaking of the mutual advantage the Philippine Islands and the United States had derived from our associations, he further commented on our promise as follows:

But we can not taint it with bad faith. If we act so that the natives understand us to have made a definite promise, then we should live up to that promise.

Who is that speaking? That is surely one of the most outstanding Americans in our time, Theodore Roosevelt, who certainly understood the Philippine people as well as anybody here, or anybody that has appeared before our committee.

The other extract I wish to read is from Woodrow Wilson, in December, 1920, in his message to Congress, when he said:

Allow me to call your attention to the fact that the people of the Philippine Islands have succeeded in maintaining a stable government since the last action of the Congress in their behalf, and, having thus fulfilled the conditions set by the Congress as precedent to a consideration of granting independence to the islands.

I respectfully submit that these conditions precedent have been fulfilled, it is now our liberty and our duty to keep our promise to the people of those islands to grant them the independence they so honorably covet.

There is the utterance of Roosevelt in 1915 in a magazine, written under no weight of passion or prejudice, and there is the well considered statement in President Wilson's message in 1920. Dare you point the finger of blame at the high and exalted ambition for self-government of these people in view of the expression and message of those two world famed American characters. Should we deny them at least, at this time, a part realization of their hopes and ambitions by the passage of the Fairfield bill, properly amended, a step to more complete autonomy than they have had in the past and in the future, when negotiations can properly be conducted to give those people the independence that they deserve and which they honorably and worthily crave? Our future conduct of them is now important. Neither pains nor funds should be spared in arriving at a proper solution. It is important that we get the exact facts, and then act definitely and courageously in such way that "bought and paid for" propagandists can not prevail against our high and holy purpose toward this helpless people. [Applause.]

Mr. FAIRFIELD. Mr. Speaker, I want to call the attention of the House to the bill itself and have a vote. I just want to say that the bill is to validate a statute passed by the Filipino Legislature concerning their taxes. Governor Wood signed it, the Secretary of War recommends it, and the committee reported it unanimously.

Mr. Speaker, I move the previous question on the bill to its final passage.

Mr. WILLIAMS of Texas. Before that I want to ask the Members of the House for five minutes to speak on the Filipino question. I am the ranking Member on this side and this is the first time I ever knew all the time to be controlled by one side.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] has controlled one side.

Mr. WILLIAMS of Texas. But the gentleman from Arkansas took his authority from the gentleman from Indiana [Mr. FAIRFIELD].

The SPEAKER. No; the gentleman from Arkansas was recognized by the Chair in his own right.

Mr. FAIRFIELD. Mr. Speaker, I will be very glad to comply with the gentleman's request, if it is in order, and I withhold my motion.

Mr. WINGO. Mr. Speaker, I will yield the gentleman five minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. WILLIAMS of Texas. Mr. Speaker and gentlemen of the House: I happen to be a member of the Committee on Insular Affairs, but I have not seen fit to address this House touching the Filipino question for the reason that I felt the occasion would arise that has arisen this afternoon.

We talk about legislating for the Filipinos, and yet every time a Member on either side of this House takes the floor he immediately begins talking and playing politics, and the trouble with Filipino independence to-day is that we get up here and try to make a record to send back home or to make a record for our parties, and the Filipino people are the ones who are suffering from that. [Applause.] If you could take politics out of the Filipino question, you would get action for the Filipino people.

Of course, we differ as to the time to give them independence. We differ as to whether it should be now or 10, 20, or 30 years from now, but every member of the Insular Affairs Committee—and I want to say I have confidence in every one of them having the welfare of the Filipinos at heart—is sincere, but the trouble, I say to you, is that it is politics, and



as long as the political question is to be considered just that long will the Filipino people suffer by it.

I do not believe it was ever intended for this people to control the people across the water. I myself will not say I am capable of overseeing and controlling the freedom of a foreign people, and I am willing at any time to say to them, "If you can work out your salvation, we are as a nation ready to assist you, but we are willing to free you at this time." [Applause.] I may be wrong, and I have every regard and respect for the man who feels the time should be 20 years from now. But I say to you that in discussing the Filipino question we on both sides of this House should, as much as possible, take all political questions out of it and not play politics so that our chances may be enhanced at the next election. Let us try to act for the benefit of the Filipinos and not for the benefit of the Democratic or Republican Parties. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Indiana for the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FAIRFIELD, a motion to reconsider the vote by which the resolution was passed was laid on the table.

The SPEAKER. Has the Committee on Territories any further business?

Mr. FAIRFIELD. No, Mr. Speaker.

The SPEAKER. The Clerk will call the roll of committees. The Clerk called the committees.

#### ASSESSMENT WORK ON MINING CLAIMS

When the Committee on Mines and Mining was reached,

Mr. ROBSION of Kentucky. Mr. Speaker, I call up the joint resolution (H. J. Res. 142) to suspend the requirements of annual assessment work on certain mining claims for a period of three years.

The Clerk read the title of the resolution.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent that this resolution may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

*Resolved, etc., That the provision of section 2324 of the Revised Statutes of the United States, as amended, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount be made during each year, be, and the same is hereby, suspended for a period of three years beginning at 12 o'clock meridian on the 1st day of July, 1923, as to all such valid claims located and held on discovery of carnotite or other radium-bearing ore: Provided, That every claimant of any such mining claim, in order to obtain the benefits of this resolution, shall file or cause to be filed in the office where the location notice or certificate is recorded, before 12 o'clock meridian July 1, 1924, a notice of his desire to hold said mining claim under this resolution.*

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. GARRETT of Tennessee. Mr. Speaker, I understand there is some opposition to this bill.

The SPEAKER. When no one rose, the Chair assumed there was no opposition.

Mr. WINGO. I am against the bill, Mr. Speaker.

Mr. ROBSION of Kentucky. Mr. Speaker and gentlemen of the House, if I may have your attention, this resolution seeks to suspend the assessments on carnotite ores for a period of three years. As many of you know, radium is taken from carnotite ores. Our country was the pioneer in the development of this mineral and this industry. Many millions of dollars have been expended, but about two years ago or a year and a half ago this ore was found in the Congo country of South Africa. The ore which contains this radium as found in that country is twenty-five times as rich in radium as the ore that is found in this country. Up to that time and now it costs about \$70 per milligram to produce it, or something like \$70,000 to produce a gram of this metal, not counting the cost of sale.

Until this discovery in the Congo country radium sold in this country for from \$115,000 to \$125,000 per gram, and now it sells at \$70 per milligram, or \$70,000 per gram. The drop in the price has been such as to completely put the American producers out of the market, and every radium mine and factory

in America has closed down and has been closed down for a period of nearly two years.

The purpose of this joint resolution, as you will understand, is to relieve the holders of these claims from doing the \$100 of assessment work for a period of three years, in the hope that a cheaper process may be found so that our people can produce radium at a price at which they can sell it without a loss; and, gentlemen, without such a process being found the radium industry of this country must die.

Mr. CONNALLY of Texas and Mr. WINGO rose.

Mr. ROBSION of Kentucky. I yield to the gentleman from Texas.

Mr. CONNALLY of Texas. I would like to ask the gentleman why it is provided in the bill that the period of suspension shall begin on the 1st day of July, 1923, which is long past. Is it the purpose of the bill to validate claims that have already lapsed?

Mr. ROBSION of Kentucky. No; but the resolution was reported in the spring, and when we come to that we can amend it.

Mr. CONNALLY of Texas. It was reported in March, 1924. Why should it refer back to the 1st of July, 1923?

Mr. ROBSION of Kentucky. It is to cover assessment work for three years, beginning July 1, 1923.

Mr. MANLOVE. If the gentleman from Kentucky will yield, my understanding is that the period of one year would begin at that time, so we are just extending it from the time when it would naturally begin to the three years instead of one year.

Mr. CONNALLY of Texas. I understand that, but at the same time that would have the effect of validating a lot of claims that had already lapsed.

Mr. MANLOVE. No.

Mr. CONNALLY of Texas. Yes; it would.

Mr. ROBSION of Kentucky. Yes; but, of course, the gentleman understands that every claim must have \$100 of assessment work done each year for a period of five years.

Mr. CONNALLY of Texas. But under this bill if that had not been done in 1923 and then it had not been done in 1924, under this bill it would be validated and claims that were invalid would become good; is not that true?

Mr. ROBSION of Kentucky. Yes; the gentleman is right. That is true if no one had entered these claims in the meantime.

Mr. CONNALLY of Texas. Now, why the necessity of doing that?

Mr. ROBSION of Kentucky. This discovery of rich carnotite ore or radium in the Belgian Congo simply flattened out every one of our industries in this country and paralyzed and killed the business, and there has been no inducement or hope for anybody to continue in the business. Many of the mining operations have been dismantled.

Mr. CONNALLY of Texas. That is true; but being true, should these men who let their claims lapse have them validated? Should they not be opened up now so as to give everybody a chance?

Mr. ROBSION of Kentucky. But, as Doctor Hess, of the Geological Survey, and Professor Lynn say, if we can offer anything to this industry and to these men who were pioneers and who have spent so much money and received so little, and whose business is now paralyzed—if we can offer anything to them, we ought to do it, and this is the least thing and only thing we can offer, unless we would put a protective tariff on radium.

Mr. WINTER. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. WINTER. With respect to the suggestion of the gentleman from Texas [Mr. CONNALLY] about invalidated claims, the gentleman will recall that failure to do the assessment work does not invalidate a claim unless some one else has initiated a right. The mere absence of annual assessment work in no wise affects the title.

Mr. ROBSION of Kentucky. That is correct.

Mr. CONNALLY of Texas. The new claimant ought to have an equal break with the rest.

Mr. ROBSION of Kentucky. Doctor Hess and others testified that no one would suffer any loss because no one will undertake to improve the claims.

Mr. CONNALLY of Texas. Those are arguments that we have heard before on this question of claims. But the gentleman's bill is drawn so that nobody could get the benefit of the validation unless he filed his claim on the 1st of July, 1924, and that date has passed. In other words, the effect of the bill is to validate the claims of these persons who have let their claims lapse. Why does not the gentleman change the date?



Mr. ROBSION of Kentucky. The Government requires the assessment work to be done. Had it been done it would not have accomplished anything. It would not have been to any purpose except to furnish some one some work. The condition of the industry was such that no one could afford to do it. No new person has entered on the claims and no one is seeking to reenter them; they are valid claims to-day.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. LEATHERWOOD. I am wondering if the locaters find it burdensome to do the assessment work why they do not patent the claims and relieve themselves.

Mr. ROBSION of Kentucky. Well, the gentleman knows it takes five years, or at least \$500 of assessment work.

Mr. LEATHERWOOD. I know that a specified amount of work has to be done and then they are eligible for patent. Why do not they patent them?

Mr. ROBSION of Kentucky. For the reason that I have indicated already—a great deal of money has been expended to develop these interests. In the Congo Free State they have discovered this carnotite and it has killed the market for radium. There is no market, and America can not produce it. One suggestion was that we put a protective tariff on radium to equalize the difference between the cost of production here and abroad, but inasmuch as it is used for the purpose of healing it has been recommended that there be no protective tariff. This is the least that you can do for these men who have spent so much and stand to lose so much.

Mr. LEATHERWOOD. Is not this the fact, that the entrymen on these claims have filed upon a large number of claims and thereby removed a large area of mineral-bearing territory from further entry so long as they comply with the law? The law requires that there shall be \$500 worth of work done on each claim before it can be patented. I suspect that the requisite amount of work has not been done and they still seek to keep the territory tied up and not comply with the law in doing the annual assessment work.

Mr. ROBSION of Kentucky. These claims have not been patented, that is true. If you will permit me, I want to say that the place where we find radium in this country is in the canyons of Colorado and Utah. They take a ton of metal, and after working with it what do they get? They get a little piece of radium not as large as a pinhead. Carnotite ore in this country is about 1.75 per cent radium compared with the Congo carnotite, and Congo carnotite is more than twenty-five times as rich in radium as American ore.

Mr. BRUMM. It will take 1,200 tons to make 1 gram.

Mr. ROBSION of Kentucky. It takes 600 tons of ore and 600 tons of water to make 1 gram of radium.

Mr. LEATHERWOOD. If the few holders of claims find it unprofitable and they be excused for not doing the assessment work upon those claims, why should not the Government relieve some of the rest of us who are in distress in trying to develop claims bearing other minerals.

Mr. ROBSION of Kentucky. Well, let us first pass this bill. This House has relieved in one or two cases a large number of claimants of assessments. These concerns have gone up there far from any railroad. They must go up 6,000 or 7,000 feet into the ledge and remove this ore. Then they put it on little burros and carry it 15 miles before they can find a place where there is a wagon road; then they haul it 50 or 60 miles to a railroad. Now, these men with spirit and energy have gone in there and expended thousands and thousands of dollars upon these various mining claims.

This trouble has now come upon us. What will it mean to these men; what will it mean to the country, or to anybody, with their plants prostrate, their business paralyzed, to require them to go there and do \$100 worth of work every year which would not amount to a copper of value to anybody?

Mr. GARRETT of Tennessee. There is an unlimited demand for this product, is there not?

Mr. ROBSION of Kentucky. There is this much of a demand: There are 6 ounces of radium in all the world. Four of those ounces are in the United States. Each ounce costs, to produce it, about \$1,000,000. There is an unlimited demand for it; but the expense of it is so great, who can use it? Before you can use it you must have some doctor who can invest about \$100,000 in radium, and that doctor must have some sort of a receptacle in which to keep it, and he must employ an expert to apply it, because when he applies it to the wound he must be such an expert that he can recover from that wound every particle of that radium and put it back into the receptacle, to be used again.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. ROBSION of Kentucky. I understood that I have an hour.

The SPEAKER. No; the gentleman had but five minutes.

Mr. CONNALLY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CONNALLY of Texas. We are proceeding in the House as in Committee of the Whole?

The SPEAKER. That is correct.

Mr. CONNALLY of Texas. Does that mean that no one can speak for more than five minutes?

The SPEAKER. It does.

Mr. CONNALLY of Texas. That also means that he can get an extension of time by unanimous consent?

The SPEAKER. Of course.

Mr. ROBSION of Kentucky. I ask unanimous consent that my time be extended for five minutes, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEATHERWOOD. Mr. Speaker, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. LEATHERWOOD. I am wondering why there is so much scope under the provisions of this bill. As I interpret the bill, if it should be enacted into law, it would be possible to locate and tie up all of the uranium and potassium bearing ores in every State in the West under these locations that are exempt from assessment.

Mr. ROBSION of Kentucky. That is not the purpose of the bill, and if that is what it does I would want an amendment to it. It would apply only to those claims that had been taken.

Mr. LEATHERWOOD. I call attention to the language of the bill, calling attention to carnotite ores, and that includes all uranium and potassium bearing ores.

Mr. ROBSION of Kentucky. We questioned Doctor Hess and also officials of the Bureau of Mines very carefully. There are only 1,500 or 1,800 of these claims, and there are 20 acres to the claim. There can not be any more than 20 acres. We questioned Doctor Hess carefully as to whether anybody would be prejudiced, and he said no. He said that nobody would go and locate a claim with the market under these conditions, and with these plants that men have expended thousands of dollars on going to pieces.

Mr. TAYLOR of Colorado. Were any extended hearings held on this bill?

Mr. ROBSION of Kentucky. Yes.

Mr. TAYLOR of Colorado. Whom did the gentleman's committee have before it?

Mr. ROBSION of Kentucky. We had Doctor Hess.

Mr. TAYLOR of Colorado. And who is Doctor Hess?

Mr. ROBSION of Kentucky. He is a geologist of the Geological Survey, and Mr. Lynn, the chemist for the Department of the Interior.

Mr. TAYLOR of Colorado. Who asked for this bill? Who appeared before your committee?

Mr. ROBSION of Kentucky. There was a number of persons who appeared.

Mr. TAYLOR of Colorado. Was there anyone from Colorado or Utah where these carnotite claims are located who represented the local people and taxpayers? Does anybody else, except Pittsburgh people, want this legislation? I am simply asking for information.

Mr. ROBSION of Kentucky. I do not know that there were any others who held claims. I think there were some from St. Louis.

Mr. TAYLOR of Colorado. I do not say that I am opposed to this bill. I have not heard anything about it from the people in that community. But these claims are nearly all in Montrose County, adjoining my home in Colorado, and my impression is that the Pittsburgh Standard Chemical Co. owns a large number of these claims. I would like to learn the sentiment of the taxpayers of Montrose County on this subject before I vote on it.

Mr. ROBSION of Kentucky. That is not the record.

Mr. BRUMM. They testified to 75 claims.

Mr. TAYLOR of Colorado. If you limit this bill to 75 or 100 claims there would not be any question about it. But if they are holding and not working several hundred or a thousand of them, I doubt the wisdom or advisability of this bill.

Mr. ROBSION of Kentucky. But there are quite a number of claimants.

Mr. TAYLOR of Colorado. Sentiment in Colorado is very sharply divided on this subject of the suspension of annual assessment work. I do not think the application for this law comes from the people generally in that country. The gentle-



man from Utah [Mr. COLTON] represents the adjoining county over there in Utah, and he and I represent, I think, pretty nearly all the carnotite public land in the United States.

Mr. BRUMM. He was at the hearings.

Mr. TAYLOR of Colorado. Yes; and I think he feels about the same as I do. I know the mining business generally as well as the carnotite industry is at a very low ebb, and those people are having hard times and they are very much discouraged. And I know those Pittsburgh people have expended a large amount of money. I have no idea how much they have taken out, and I would not want to say or do anything to injure them. If the bill is not finally acted upon to-day I will inquire into the matter and when the bill comes up again I may actively support it. However, we have been granting these extensions for several years and many people feel that we never will have any more mining development if the mining-claim owners are every year relieved from doing any work or making any expenditure. I wish we had a law requiring every claim owner to pay into the county treasury \$50 on a claim a year instead of the assessment work, and that would help the county at least, and the expenditure would not be wasted as it generally is. But I doubt if the people out there want this bill. I will try at once to learn. If these carnotite companies would go ahead and patent this land at \$2.50 an acre, then it would go on the tax rolls, and the local people and the counties would get some money out of it. When the carnotite is taken out, the mineral has left the State, and that land is utterly worthless. How much the carnotite people will have left behind in the way of permanent improvements I do not know.

Mr. ROBSION of Kentucky. Every one of those who has these claims and has undertaken to develop them is asking for this relief. Of course, the people from Pittsburgh and other places have spent several million dollars in developing this.

The SPEAKER. The time of the gentleman has expired.

Mr. BRUMM. Mr. Speaker, I move to strike out the last word. This bill was presented by me simply because I am the only member of the Mines and Mining Committee from Pennsylvania, several of the interested parties being citizens of my State.

Radium was unknown before, perhaps, 1913, and at the expense of the Government certain experiments were made running into hundreds of thousands of dollars. Those experiments resulted in producing the first gram of radium, and relying upon those experiments these companies went out to Colorado, and at elevations of from 4,000 to 6,000 feet put their bore holes down, that is, made core drillings, which are very expensive. They invested a great deal of money in this industry. It requires the reduction of 1,200 tons of mineral to produce 1 gram of this metal. They invested all this money and were selling at a profit. They made 75 per cent of the radium of the world, and then all of a sudden new ores were discovered in the Belgian Congo.

I want to say in passing that it seems to me that after the years of having a tariff in this country, some of the questions which have been asked were entirely unnecessary. We did not make any tin in this country and we did not make any glass until those industries were built up by the money invested in Pennsylvania, the same State from which the money is being invested very largely now. Now, this industry was pretty well established. These men went out there and developed it and were making a profit when in the Congo Free State were discovered ores which, instead of bearing 1½ per cent bear 50 per cent. Any child can answer that. We can not compete with them, and why would not a tariff help? But who wants to put a tariff on a blessing that has saved the suffering of the children and the wounded and afflicted in the hospitals? For that reason these men did not ask for a tariff, nor does the committee, but we do ask for this remedy, and we have no more interest in it than you have.

Now, then, this business has been practically paralyzed, and who disputes it? Can anybody in the House dispute it? They can not, because it is a fact that it is paralyzed.

Mr. UNDERWOOD. Will the gentleman yield?

Mr. BRUMM. Yes.

Mr. UNDERWOOD. Is it not a fact that the only interested parties who appeared before the committee were the Pittsburgh concerns, that own practically all of these claims?

Mr. BRUMM. If the gentleman means those who appeared before the committee, he is practically correct, although I think there was one gentleman from St. Louis, or from somewhere in the West, I do not remember just now. But those who signed the petition to have this bill passed represent all of the radium companies in the United States that are now known. That is the testimony, but they would be glad to include anybody else

who is interested, and said so. There is no doubt about that at all. Does the gentleman know of any who are not in this?

Mr. UNDERWOOD. If I remember correctly, the brief hearings we had upon this bill, the concerns named in the report, the Keystone Metals Reduction Co., of Pittsburgh; Arthur Roeder, president of the United States Radium Co.; and Frank L. Hess, geologist of the Geological Survey, were practically the only parties heard in favor of this legislation. Is not that true?

Mr. BRUMM. That is practically true.

Mr. UNDERWOOD. Will the gentleman yield further?

Mr. BRUMM. Yes.

Mr. UNDERWOOD. Does not the gentleman think this is a very dangerous precedent to set, that of relieving the holders of these claims from doing the necessary amount of work now required by law and by the passage of this legislation relieve them of what is now required under the general statutes? Does not the gentleman also think that if these claims are so valuable, as has been alleged upon this floor, that the owners of the claim should perform the necessary work under the law?

Mr. BRUMM. Is that the gentleman's question?

Mr. UNDERWOOD. Yes.

Mr. BRUMM. The gentleman made that very argument before the committee and I understood he had later withdrawn his objection to this bill.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. BRUMM. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. BRUMM. The only reason I am speaking is to try to emphasize to the House the fact that this business is peculiar.

It is most peculiar in its nature, in its infancy, and peculiar in its wonderful necessity, and for that reason I do not care what has been done in the past, so far as I am personally concerned; this is a necessity. Are you going to destroy the business or are you going to maintain it? That is what we are up against to-day.

Mr. MANLOVE. Will the gentleman yield?

Mr. BRUMM. Yes.

Mr. MANLOVE. Is there anybody else that the gentleman has ever heard of or who came before the committee, who showed any inclination to want to take up or even intimated he would take up the working of these claims if they went back to the Government?

Mr. BRUMM. Not at all, and there is not any doubt there will be nothing done because as long as this carnotite is found in the Congo there will be no business here, and I will explain in a moment why.

Mr. LAGUARDIA. If the gentleman will yield, what I can not understand is this: If it requires such a large outlay of capital to produce the radium, why will the waiving of the requirements of the law of \$100 worth of labor a year give these people any relief? It seems to me it is out of all proportion.

Mr. BRUMM. They have already spent their money, I will say to the gentleman.

Mr. LAGUARDIA. I understand that.

Mr. BRUMM. Their money is gone and you are asking them to pay for a bugaboo.

Mr. ROBSION of Kentucky. If the gentleman will yield, they invested this money when they could make some profit on the production of radium, but this new discovery in the Congo has killed the business.

Mr. LAGUARDIA. How will \$100 a year help them?

Mr. ROBSION of Kentucky. It would amount to \$500 and will be that much help. They feel like it is still a burden to put more money into it when they can see no future for the business.

Mr. BRUMM. And if you multiply that by 50 or 60 for one company it amounts to quite a sum of money.

The information the scientists on this side have been able to get up to the present moment is that the ore in the Congo is simply a pocket, and their belief is it will simply be confined to ore that will peter out in a very short time. If it does, there will be no necessity for help and we will move on in this country.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. BRUMM. Yes.

Mr. GARNER of Texas. The gentleman does not share in that hope, I am sure.



Mr. BRUMM. I am simply giving the information which they presented to the committee.

Mr. GARNER of Texas. I am sure the gentleman does not share in the hope that this pocket of ore in the Congo will be eliminated, and they will not be able to produce radium in the Congo as cheap as they now do.

Mr. BRUMM. Let me answer the gentleman in this way—

Mr. ROBSION of Kentucky. Doctor Hess and the other experts in the bureau expressed that view.

Mr. GARNER of Texas. In other words, they hope that this very beneficial thing may give out in the Congo?

Mr. ROBSION of Kentucky. No; they do not hope it.

Mr. BRUMM. Let me answer that question. Do you know what they are getting for this?

Mr. GARNER of Texas. I have not the slightest idea.

Mr. BRUMM. They are getting \$70, the same price that it costs to produce it in this country, and this notwithstanding that they have a monopoly. So that if we want cheaper radium we must rely upon America as usual.

Mr. GARNER of Texas. Would not the gentleman like to see it developed all over the world so it could be sold cheaper, and therefore does not the gentleman hope it will not give out in the Congo so the people may have the benefit of it?

Mr. BRUMM. We believe we shall make it cheaper, but you do not give these people a chance. For instance, take tin. We make more tin and cheaper than they make the world over. But it was not so in the beginning.

Mr. GARNER of Texas. I am speaking about the selfishness of the corporation you speak of here in hoping that the radium will give out somewhere else in order that they may produce it over here.

Mr. MANLOVE. Will the gentleman yield?

Mr. BRUMM. Let me answer the question first. If the gentleman or any man in this House had \$600,000 in a business, the gentleman would not be so magnanimous and would not look at it from that standpoint.

Mr. GARNER of Texas. No; and I would not argue from a humanitarian standpoint, as the gentleman did a while ago.

Mr. BRUMM. I am not interested in the company, but I am interested in the United States making radium, for in time I believe we shall make it cheaper than any other. That is what I am interested in. I am interested in the United States making radium, just like we have made all the other things that are blessings to the world as well as to this country.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. BRUMM. Yes.

Mr. LEATHERWOOD. What assurance have we that these claims which it is sought to hold do not bear valuable deposits of lead, silver, and gold?

Mr. BRUMM. We had evidence before the committee from the experts who were consulted, and they stated that there were no other appreciable ore values in these particular areas.

Mr. ROBSION of Kentucky. That was the statement of Doctor Hess.

Mr. LEATHERWOOD. What was the source of Doctor Hess's knowledge?

Mr. BRUMM. Doctor Hess is the geological expert in the bureau and ought to know.

Mr. LEATHERWOOD. Has he gone over this ground?

Mr. ROBSION of Kentucky. They had core drills drilling all over the land.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

Mr. LONGWORTH. Mr. Speaker, I see it is quite evident that the conclusion of the consideration of this bill can not be reached within a reasonable time, and, as I understand, the bill will be in order next Monday for further consideration.

The SPEAKER. Yes.

#### ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 25. An act providing for a per capita payment of \$50 to each enrolled member of the Chippewa Tribe of Minnesota, from the funds standing to their credit in the Treasury of the United States;

H. R. 7064. An act to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service;

H. R. 8308. An act authorizing the Coast and Geodetic Survey to make seismological investigations, and for other purposes;

S. 703. An act making an adjustment of certain accounts between the United States and the District of Columbia.

S. 1179. An act to authorize the Commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening, in accordance with the highway plan of other streets, roads, or highways in the District of Columbia, and for other purposes; and

S. J. Res. 107. Joint resolution directing the Interstate Commerce Commission to take action relative to adjustments in the rate structure of common carriers subject to the interstate commerce act, and the fixing of rates and charges.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 518) to authorize and direct the Secretary of War, for national defense in time of war and for the production of fertilizers and other useful products in time of peace, to sell to Henry Ford, or a corporation to be incorporated by him, nitrate plant No. 1, at Sheffield, Ala.; nitrate plant No. 2, at Muscle Shoals, Ala.; Waco Quarry, near Russellville, Ala.; steam-power plant to be located and constructed at or near Lock and Dam No. 17 on the Black Warrior River, Ala., with right of way and transmission line to nitrate plant No. 2, Muscle Shoals, Ala.; and to lease to Henry Ford, or a corporation to be incorporated by him, Dam No. 2 and Dam No. 3 (as designated in H. Doc. 1262, 64th Cong., 1st sess.); including power stations when constructed as provided herein, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEYES, Mr. MCKINLEY, and Mr. KENDRICK as the conferees on the part of the Senate.

#### AGRICULTURAL CONFERENCE REPORT (S. DOC. NO. 190)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying papers, was referred to the Committee on Agriculture:

#### To the Congress of the United States:

Transmitted herewith is a preliminary report of the agricultural conference. It embraces such recommendations as the conference wishes to make at this time. I am advised that while it does not refer to some legislation which is already pending that the conference reserves the privilege of making further suggestions at some future time. As I have great confidence in the personnel of the conference, and know that they are representatives of a very large part of agriculture, and that they have given very thoughtful study to the entire situation, I recommend that their report be embraced in suitable legislation at the earliest possible date.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 28, 1925.

#### LEAVE OF ABSENCE

Mr. CLARKE of New York, by unanimous consent, was given leave of absence for three days on account of work for reforestation.

#### SPECIAL COMMITTEE TO INVESTIGATE THE SHIPPING BOARD AND THE EMERGENCY FLEET CORPORATION

Mr. WHITE of Maine. Mr. Speaker, I ask unanimous consent that the select committee appointed by the Speaker of the House under authority of House Resolution 186, Sixty-eighth Congress, first session, shall have the right to file the report of its inquiries, with such recommendations as it may deem advisable, with the Clerk of the House on or before the second Monday of December next; and that the same right shall be accorded to any member or members of said committee, it being expressly understood that this request and consent thereto shall not extend the power and authority of said committee or of any member thereof in any other respect beyond the adjournment of the present Congress.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

Mr. HOWARD of Nebraska. Reserving the right to object, what is it?

Mr. WHITE of Maine. This request is made by the direction of the committee designated by the Speaker to inquire into the Shipping Board and Emergency Fleet Corporation and its activities. I may say that the committee has conducted most



exhaustive inquiries, but it is very much delayed in the printing of the record. Apparently we are not to have the printed record before the 15th of February at the best. If it means that we are forced to make a report before Congress adjourns it will have to be a very perfunctory report. The merchant marine is to be under consideration in the House at the next Congress, and if we can get the report in it will be available to Members at that time, and we ask to be permitted to do it.

Mr. HOWARD of Nebraska. Does not the gentleman feel that we could?

Mr. WHITE of Maine. I should be most happy if I felt that it could be gotten out; but the truth of the matter is that on account of the congestion in the Printing Office we can not get the printed record, and my best information is that that printed record will not be available before the 15th of February at the best, and then it will be without an index.

Mr. HOWARD of Nebraska. We allowed a bill of \$7,000 for printing outside of the Printing Office for somebody the other day. Can we not do that in this case?

Mr. WHITE of Maine. This request contemplates that this committee shall have absolutely no authority beyond the 4th of March other than to write and file the report.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. LaGUARDIA. The request is to file the report in December, and in the meantime when will the report be completed?

Mr. WHITE of Maine. I can not answer that definitely, but I think it is the purpose of some members of the committee to stay here after adjournment of Congress and work on this report, and if we are able to get it in shape we will file it at the earliest possible moment.

Mr. LaGUARDIA. It would not be available to Members before the meeting of Congress?

Mr. WHITE of Maine. Not until Congress convenes, but I think it would then be accessible.

Mr. LEHLBACH. It would make no difference how soon the report was completed after the 4th of March, there would be nobody to make the report to and it would not be available to the membership generally.

Mr. BLANTON. Reserving the right to object—and I do not think I shall object—I understand from the gentleman's request that there will be no action taken by the committee whatever; that there will be no money spent and that the committee will take no trips?

Mr. WHITE of Maine. We do not ask that the authority of the committee shall be extended beyond the 4th of March in any other respect than the completion and the filing of the report.

Mr. CHINDBLOM. Well, it may be necessary to have some clerical assistance in preparing the report.

Mr. BLANTON. The report is practically written now, but it is not printed.

Mr. WHITE of Maine. Oh, no.

Mr. UPSHAW. Clerical assistance would be incident to the filing of a report, I should think.

The SPEAKER. Is there objection?

Mr. HOWARD of Nebraska. Mr. Speaker, reserving the right to object, I ask the gentleman from Maine to tell me if this committee will perform any other function than the filing of this report?

Mr. WHITE of Maine. We have to prepare it and write it. The life of the committee will die with the 4th of March, except for that one particular.

Mr. HOWARD of Nebraska. The dead committee will do the writing?

Mr. WHITE of Maine. Yes; but it will be a live report.

Mr. BLANTON. Mr. Speaker, reserving the right to object, there are 36 days between now and the adjournment of Congress. Surely there is plenty of time between now and adjournment of Congress to prepare this report ready for printing; but with the understanding that no money is to be spent after the adjournment of Congress, I shall not object.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

#### OUR DEBT TO ITALY

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing therein some remarks of Mr. Charles E. Fairman on our debt to Italy, and that does not involve any international question.

The SPEAKER. Is there objection?

There was no objection.

Mr. KING. Mr. Speaker, under leave granted me, I submit the following address delivered by Mr. Charles E. Fairman

before the young people of the Church of the Redeemer (Italian Baptist Church), Sunday, May 18, 1924:

St. Paul said in the first chapter of Romans, in the fourteenth verse, "I am debtor both to Greeks and to barbarians, both to the wise and to the unwise." I want to talk to you a little while this evening about our debt to Italy. We all understand what a debt means. We have all of us either had some one owe us, or we owed some one. We have debts to our country, debts to our family, debts to our city, debts to our neighbors; and the city, the country, the neighbors, and the families have their debts to us. Of course, you will probably think that I am referring to the great debt that we owe to the Italian people on account of the discovery of this continent by an Italian, but I wish to make a more specific statement. I wish to get nearer to the debt which we who have this beautiful Capitol building upon the hill, who look at that building as an emblem, as a symbol, as a representative place where laws are made and which brings to us, under the flag which floats there, freedom, that we who have that building are indebted largely to the Italian people, to Italy.

When Thomas Jefferson was elected President of the United States he was the second President to serve as a President in Washington. The Capitol was then not completed. There was just a plain building. Let us suppose [holding up a book] that this is the area of the building and that this is one side of it. It was as plain as that, as plain as a box, and in that building, probably not more than 120 feet wide by 128 feet long, were gathered the House of Representatives, the Senate of the United States, the Library of Congress, and the Supreme Court, and not only that but the courts of the District used to meet in that building at such times as the Supreme Court was not in session.

That was practically the condition when Mr. Jefferson became President of the United States. He was one of the most learned men that have ever occupied the position of President. He had a wide knowledge, not what you might call a specialized knowledge but a general knowledge of many things. He was a very good architect, so good, indeed, that he knew better than to try to be his own architect for that building, and for this reason he appointed as architect a man by the name of Latrobe. Mr. Jefferson and Mr. Latrobe talked the matter over and they had an idea that they must erect a building to the south for the House of Representatives. Mr. Jefferson said to Mr. Latrobe, we must have some fine architectural embellishments to this building; we must have some sculptural work. The question is where can we find decorative sculptors in the United States in the year 1804. Mr. Jefferson thought of an Italian by the name of Philip Mazzei who had been at one time an agent or representative of the Italian Government in the State of Virginia and who had also represented the State of Virginia in a commercial way before the Revolution. Mr. Jefferson suggested writing to Mr. Mazzei, who was then in Italy, and asking him to select for them a sculptor or sculptors to come here to work upon the Capitol Building. So, accordingly, a letter was written, and in this letter a general outline of the plan for the development of this new building was stated. This letter was written in March, 1805, and unfortunately we have none of the letters that passed between Mr. Mazzei and Mr. Latrobe after that time. But some time in February, as near as I can find, in the year 1806, two Italian sculptors from Carrara, Italy, and their wives arrived in Baltimore and from Baltimore came by stage to Washington. Mr. Latrobe had some slight knowledge of Italian. Twenty years before that he had spoken Italian fluently. He was absent from the city, and the clerk in the office of the supervisor of the works, or surveyor, wrote of the arrival of these two Italian sculptors, Giovanni Andrei and Giuseppe Franzoni. The Franzoni name is well known here in Washington at the present time. So they were given a house where they could have their own housekeeping apartments, and they commenced work.

I want to cite this as an instance of the simple way in which people lived here in Washington in the year 1806. If some man from Italy should come here to be employed as sculptor and called on the President at the White House, we would be very much surprised, but this is exactly what Giuseppe Franzoni did. He called on President Jefferson, and the way we know it is because we have a letter from Mr. Jefferson written to Giuseppe Franzoni, in which he says:

"I did not understand when you called yesterday that you left some articles in marble for me. I am obliged to return them  
\* \* \*"

So we know that very soon after the arrival of Giovanni Andrei and Giuseppe Franzoni they called upon the President, and a little later we have another evidence of the friendly relations which existed between the President and Giuseppe Franzoni. Giuseppe Franzoni was a prize scholar at a school in Florence. He had taken a prize in Florence. His father was the president of the Art Academy at Carrara. An uncle was a cardinal of the Church of Rome. They came from good stock, and Giuseppe Franzoni had a reputation that was excellent as a sculptor before he ever came to this country. So soon after he came to this country he conceived the idea of importing some of his sculptural works, and we find on the 5th of March, 1807, a letter from President Jefferson to Giuseppe Franzoni, saying:



"I have inquired about the appraisal of value upon those statues and find that it will be necessary for you to appoint some person to appraise the value, and for the collector at Baltimore to appoint some person, and they will have to fix the price, and you ought to take action in this before the 12th of this month or the statues will be sold."

We do not know what the statues were, whether they were sold, or the duty paid on them, and the statues turned over to Mr. Franzoni.

Mr. Latrobe was to have in this new building, which was to be a counterpart in size of the building that existed when Latrobe came here, a room for the meeting place of the House of Representatives, and in that room they wished to have a frieze supported by 20 Corinthian columns. They also wanted upon the frieze a representation of the American eagle, with wings extended, the extended wings of the eagle to be something like 12 feet. It seems that Giuseppe Franzoni, who was to do this sculptural work, did not understand very well about the American eagle, and we find a letter from Latrobe in which he asks Charles Willson Peale, a noted painter of that day, who had a son, Rembrandt Peale, if he would not sketch or have his son sketch an eagle, so that Mr. Franzoni might have this as a pattern. This sketch was furnished, and later, in writing concerning this, Mr. Latrobe said:

"I do not feel that there has been carved in stone or in any other medium an eagle of such noble proportions and so well defining an American eagle as this work of Giuseppe Franzoni."

The man only needed an idea; he could then execute it. There was also executed for this Hall of the House of Representatives a seated statue of Liberty. This was to be a seated statue 9 feet high and was to be back of the Speaker's chair. The frieze opposite was to have four statues representing commerce, agriculture, art, and science.

Slowly the work proceeded. In 1807 they were able to use this new building which had been erected as a meeting place for the House of Representatives. In the meanwhile it was difficult to get appropriations, and the work seemed to drag and the enthusiasm of the people seemed to suffer, and finally it was decided that they would suspend work and furnish these two Italian sculptors transportation back to their homes.

Unfortunately at this time a war with Great Britain was impending and travel upon the seas was not considered safe, so that these sculptors, Andrei and Franzoni, remained here and were here during the War of 1812, which terminated disastrously for Washington, for on the 24th of August, 1814, the British took possession of the city, entered the Capitol, took the books from the library, the furniture from the different rooms, two paintings, which were the only paintings then owned by the Government—portraits of Marie Antoinette and Louis XVI—and made a great bonfire in the Hall of the House of Representatives. This Hall I should say is now known as Statuary Hall. It has been rebuilt since that fire. Of course, everything which had been carved from the Aquila Creek sandstone crumbled under the fire. All of the sculpture of Giuseppe Franzoni was destroyed. All of the Corinthian capitals which had been carved by Giovanni Andrei crumbled away, and it is to Andrei that we owe a debt for the only representation or pencil sketch of the Hall as it was after the fire. Then, of course, the question was to rebuild. Congress could not meet in the Capitol because of the devastation caused by the fire. They met in a building on the corner of Seventh and E Streets, where the Post Office Department Building now stands. That building was then Blodgett's Hotel. They met there for one session of Congress, and by the time Congress was ready to convene again a building had been erected on Capitol Hill in that section of the row of buildings which was used during the Civil War as the Capitol prison and where is now located the headquarters of the National Women's Party.

During the rebuilding of the Capitol they had found that it cost a great deal, owing to the different scale of prices—and there was a different scale of prices in those days as well as now—to carve these Corinthian capitals. It had been talked of before the fire that they could get them carved cheaper in Italy than here. Things dragged along slowly.

Giuseppe Franzoni died in April, 1815, and is buried in Oak Hill Cemetery, and that left the Capitol without a sculptor who could carve statues. Giovanni Andrei was a decorative sculptor, who carved decorations in stone for buildings. So Mr. Andrei proposed that he should go back to Italy and have the columns of the new House of Representatives carved there—24 in number there were to be; so in August, 1815, Giovanni Andrei and his wife went back to Italy. He remained there some time and at Carrara established a shop, and the 24 capitals of the columns which are now in the Hall known as Statuary Hall were carved in Carrara and brought over to this country in full completed condition. It is interesting to read from an Italian paper published in Florence that the Duchess Marie Beatrice had visited the studio and was very much pleased with the beautiful Corinthian capitals that were being carved there for the Capitol at Washington. Then in that account we find that Mr. Andrei had a leave of absence for nine months, but he must have been away longer, for he sailed

in August of 1815 and this was in July of 1816 that the notice in this Italian newspaper is dated.

He finally came back and brought with him two sculptors, Francesco Iardella and Carlo Franzoni. Carlo Franzoni was a younger brother of Giuseppe Franzoni, who had died here in 1815. He was a sculptor of merit and had achieved a reputation as a prominent sculptor before leaving Carrara. There was another brother, Emanuele Franzoni, also a sculptor, who had worked in connection with Carlo Franzoni. Emanuele would not come to this country, although at Carlo's death he was offered a position. So that with these two sculptors work commenced again in the same way. The most that we have of the work of Carlo Franzoni is a group or a figure piece known as The Car of History and as Franzoni's Clock. It stands upon the gallery front of the old gallery of Statuary Hall, formerly the House of Representatives. This clock represents a winged car, one wheel of which forms the dial of the clock, and a female figure, the Goddess of History, stands there with a tablet upon which, as the car moves over the world, she records the events as they occur. It must have been of importance to the House of Representatives to have before them that symbol that showed them from day to day that history was recording the different events transpiring in the House of Representatives.

Carlo Franzoni died in this city on May 12, 1819, the year of the completion of that wonderful masterpiece. He left several children, and from those children we have most of the Franzonis now residents of Washington.

Just before the coming of Carlo Franzoni and Francesco Iardella, who, by the way, was a cousin of the Franzonis, other sculptors appeared. A sculptor by the name of Antonio Capellano made his appearance in 1815 in Baltimore. He had been sent for by an architect by the name of Godefroi, of Baltimore. He arrived there while Mr. Godefroi was away on a sketching expedition, and this poor Italian, who could speak no English, found himself in an embarrassing position. Rembrandt Peale found him in some way, and he established him in Mr. Godefroi's house and instructed the cook to provide meals for him and in the meanwhile secured by subscription a commission for the carving in relief upon a church in Baltimore "Moses giving the law" and the parable of the "Miracle of the loaves and fishes." He afterwards came to the Capitol and did some of the bas-relief work in the rotunda that is high up above the historical paintings.

There was also another sculptor by the name of Giuseppe Valaperti. I have never been able to find through the records how he happened to come here. He had been a prominent sculptor and at some time executed commissions for the King of Spain. He had a family, a wife and three children. He lived near Genoa, and it was some time before he was able to get any commissions. He finally got a commission to carve another eagle, and that eagle still can be seen on the frieze in Statuary Hall, the only piece of work, so far as is known, that Valaperti executed in this country. He had been ill much of the time, and his illness seemed to leave his mind in an unsettled condition. He seemed to feel that people were not true, not sincere, and that when they praised his work they were just telling him that although they didn't believe it. It seemed to prey on his mind, and he felt that his ability as a sculptor had gone.

One day, after he had written out his will and named his executor, he left his boarding place March 4, 1817, and was never heard of after that date. It was supposed that he committed suicide by drowning in the Potomac River, but what that supposition is based upon I have never been able to find. His will was admitted to probate, and his wife and children received the proceeds of the money that was due him, his effects having been sold at auction, so that the money could be turned over to his heirs.

There was another Italian, who came here about 1825, by the name of Luigi Persico. He had been painting miniatures and teaching drawing in Philadelphia. He did not seem to be able to get any sculptural commissions, and finally Rembrandt Peale, serving as one of the jurors at an exhibition of the Art Academy, discovered the merit of the work of Persico. Shortly after he came here to this city and was able before long to secure some very important commissions, which brought him well in the neighborhood of \$40,000. He made the statues of Peace and War that are in niches on the east front of the Capitol as you go in at the rotunda. He also made the Discovery Group, on the south blocking of the east front of the Capitol. The face of Columbus is said to be carved from a life portrait bust in one of the cities of Spain.

We are fortunate in having the portrait in oil of Carlo Franzoni. It has been given to the Capitol by Dr. Charles H. Franzoni and it now hangs in the office of the architect. It was painted by an Italian artist who also came from Carrara, an artist by the name of Pietro Bonanni. He was a prize scholar at the Academy of Fine Arts in Carrara. From there he went to Paris and studied under David, and then went to Rome and painted some portraits while there, and also some in Paris and Carrara before coming to this country. Bonanni was given the commission to decorate the half-dome ceiling of the new hall of the House of Representatives, now Statuary Hall, and he painted it in light and shade so that it appeared to be a half dome in



actual relief divided into spaces, and is copied from the dome of the Pantheon in Rome. That painted dome remained there until 1901, when it was taken down and a fireproof ceiling put in its place, but this fireproof ceiling is a copy of the ceiling painted by Bonanni, so the present ceiling is an exact copy of the ceiling that was placed there by Bonanni with this exception: This ceiling is now in actual relief, while the other was painted so that it had all of the appearance of relief. Bonanni also died in this city in the year 1821. A peculiar occurrence is connected with his last illness and death. There was in Washington an Italian by the name of Mariano, who was attempting to secure a clerkship for one of the territorial commissions, and he called on Bonanni on the 10th of June, 1821, Sunday, and at Bonanni's request he wrote out his will and left him, and proceeded to the hotel where he was living and dropped dead at the door of the hotel. Bonanni lived until the following Friday, the 15th of June, 1821; so that Italy has given to us some very celebrated artists who have died and who remain here.

Giovanni Andrei died in 1824 after he had completed the carvings of the capitals in the east portico. Francesco Iardella died in 1831. Of the wives who came here, the only one to go back was the wife of Giovanni Andrei. Camilla Franzoni, the wife of Giuseppe Franzoni, married her old sweetheart, Francesco Iardella. There is a story in the Iardella family to the effect that they had been sweethearts in Italy, but that the Franzoni family thought, or the mother of Camilla thought, that Giuseppe Franzoni was a far better match than Francesco Iardella, and so when Camilla Franzoni was a widow Iardella came to this country, secured employment upon the Capitol, and after the death of Andrei took Andrei's place as the head decorative sculptor. So that the wife of Giovanni Andrei seemed to be the only one that went back to Florence.

This is in brief some of the reasons why I think there is a great debt due to Italy, and as you go out to-night and look up at the dome of the Capitol you will see that white dome and above it a bronze statue of Freedom, the work of an American sculptor, Thomas Crawford, whose home for many years was in Italy. He did not die in Rome where his home was. He died while temporarily in London. But we want to count Thomas Crawford as one of the contributions that we have made from this country to Italy.

There is another one that I might refer to, Sir Moses Ezekiel, who carved the bust of Thomas Jefferson in the Senate Chamber. He was given the title of nobility by the Italian Government. He is best known in this country by his statue group to the women of the Confederacy, which is over in Arlington Cemetery.

Another was Richard S. Greenough, a younger brother of the sculptor, Horatio Greenough. He is represented in Statuary Hall by the statue of Governor Winthrop, of Massachusetts. Greenough died in Rome, Italy, in 1904.

And still another, Chauncey B. Ives, of the State of Connecticut, who is represented in Statuary Hall by the statues of Jonathan Trumbull and Roger Sherman. He died in Rome in 1894.

And another, Larkin G. Mead, a citizen of the State of New Hampshire, the sculptor of the heroic statue of Ethan Allen in Statuary Hall in the Capitol, also the sculptor for that wonderful memorial to Abraham Lincoln at Springfield, Ill. He died in Florence, Italy, in 1910.

Another was Hiram Powers, who is probably best known throughout the art world by his statue of the Greek slave, and who is represented in the Capitol by his statues of Jefferson and Franklin. He died in Florence in 1883.

Another, William H. Rinehart, the sculptor of the bronze doors at the House entrance to the Capitol, died in Rome in 1874.

Another prominent sculptor was Randolph Rogers, the sculptor of the Rogers doors that stand at the eastern opening of the Capitol to the rotunda. He died in Rome in 1892.

Another sculptor in the list, Franklin Simmons, a native of Maine, who executed four statues that are in Statuary Hall, three busts that are in the Senate wing, died in Rome in 1913.

And last, Horatio Stone, the sculptor of the statues of Hancock, Baker, and Hamilton, died in Carrara, Italy, in 1875.

Thus in some measure we have paid our debt by giving to Italy so many of the sons of the United States, but for the artistic inspiration, for the leadership in art directions, for the influence of Italian art found in all portions of the Capitol Building, we still are and ever will be in debt to Italy.

#### ORDER OF BUSINESS

Mr. GARRETT of Tennessee. Mr. Speaker, several gentlemen are interested in the order of business to-morrow. I suppose it will be the consideration of the independent offices appropriation bill?

Mr. LONGWORTH. Yes; and we will continue that until it is finished.

#### SURPLUS GOVERNMENT EMPLOYEES

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to print therewith a

short excerpt from the address of the President delivered on Monday evening last.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, I was gratified to hear over the radio and to note in the headlines of the morning papers the whole-hearted indorsement by the President in his address on the Budget at Memorial Continental Hall last evening of the views expressed in my speech urging a reduction of surplus Government employees printed in the CONGRESSIONAL RECORD in the first session of this Congress.

At that time my assertion that surplus employees were being carried on the Government pay rolls met with flat contradiction by officials of the National Federation of Federal Employees, who replied to the speech through the Washington newspapers, and it was also the subject of bitter partisan criticism in the campaign in Missouri last fall.

The following excerpt from the President's address effectually disposes of the contention of those who took issue, both on the number of surplus employees and the need for retrenchment in that important item of Government expenditure:

At our meeting last June I called your attention to the necessity of reducing the Government pay roll. The matter of personnel should be kept constantly in mind. It is the heaviest single item of our expenditures. In 1913 the average salary of Government employees in the District of Columbia was \$1,134. On July 1, 1924, the average salary was \$1,749. This shows an increase in the average salary of \$615 within this period. I do not think anyone can claim that the cost of living has increased \$615 in the same time. This is more than a 54 per cent advance. Should the salaries of all employees in each class reach the average rate authorized for the class, the average salary would be \$1,809 per year. We can not look to a reduction in pay to effect a reduction in the Government pay roll. What we are looking for is a reduction in the number of employees. Let me remind you that the Government pay roll for 1924 reached the staggering total of \$1,680,000,000. This includes the active personnel of the Federal service, the several retired lists, the pensioners, and other beneficiaries of the Government. This staggering total should cause concern, not only to us but to every thinking citizen. While there can not be and should not be parsimonious withholding from deserving pensioners who have a just lien on our gratitude and purse, and while inadequate compensation for necessary and worthy employees should not be advocated, not a dollar should be asked from the taxpayers for superfluous personnel. We have superfluous employees. It is an unpleasant and difficult task to separate people from the Federal service. But it can be done. It will be done. I advise Federal administrators to plan to operate with a smaller personnel than is now employed.

Mr. Speaker, it is an old adage that great minds run in the same channels, and I am most happy to have such distinguished company in approval of the views which I expressed on this subject more than six months ago.

#### ADJOURNMENT

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Thursday, January 29, 1925, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

823. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, reports on preliminary examination and survey of Bronx (Harlem) Kills, N. Y., from the lower end of Harlem River to Long Island Sound; to the Committee on Rivers and Harbors.

824. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the Department of Justice for the fiscal year 1924 and prior years, amounting to \$328,544.40, and supplemental estimates of appropriations for the fiscal year ending June 30, 1925, amounting to \$1,131,500; in all, \$1,460,044.40; also drafts of proposed legislation affecting existing appropriations (H. Doc. No. 579); to the Committee on Appropriations and ordered to be printed.

825. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1925, to remain available until expended, to enable the Chief Executive to continue such action as may be required for the purpose of insuring enforcement of either civil or criminal liability pertaining to oil leases made on the naval reserves and the protection of the interests of the United States in such reserves (H. Doc. No. 580); to the Committee on Appropriations and ordered to be printed.



# REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 374. A bill to increase the limit of cost of public building at Decatur, Ala.; without amendment (Rept. No. 1294). Referred to the Committee of the Whole House on the state of the Union.

Mr. VAILE: Committee on the Public Lands. H. R. 11952. A bill to authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park; without amendment (Rept. No. 1297). Referred to the Committee of the Whole House on the state of the Union.

Mr. MORROW: Committee on the Public Lands. H. R. 11644. A bill granting certain public lands to the city of Phoenix, Ariz., for municipal park and other purposes; without amendment (Rept. No. 1298). Referred to the Committee of the Whole House on the state of the Union.

Mr. WINTER: Committee on Irrigation and Reclamation. S. 2397. An act to provide for refunds to veterans of the World War of certain amounts paid by them under Federal irrigation projects; without amendment (Rept. No. 1299). Referred to the Committee of the Whole House on the state of the Union.

Mr. WINTER: Committee on the Public Lands. H. R. 11077. A bill authorizing the issuance of patents to the State of South Dakota for park purposes of certain lands within Custer State Park, now claimed under the United States general mining laws, and for other purposes; without amendment (Rept. No. 1300). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 11886. A bill to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911 (36 Stat. L. p. 961); without amendment (Rept. No. 1301). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. J. Res. 335. A joint resolution to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge"; without amendment (Rept. No. 1302). Referred to the Committee of the Whole House on the state of the Union.

Mr. JAMES: Committee on Military Affairs. H. R. 10472. A bill to provide for restoration of the Old Fort Vancouver Stockade; with amendments (Rept. No. 1303). Referred to the Committee of the Whole House on the state of the Union.

Mr. PARKS of Arkansas: Committee on Interstate and Foreign Commerce. S. 3884. An act granting the consent of Congress to the county of Independence, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of Batesville, in the county of Independence, in the State of Arkansas; with amendments (Rept. No. 1305). Referred to the House Calendar.

Mr. PARKS of Arkansas: Committee on Interstate and Foreign Commerce. S. 3885. An act granting the consent of Congress to Harry E. Bovay, of Stuttgart, Ark., to construct, maintain, and operate a bridge across the Black River at or near the city of Black Rock, in the county of Lawrence, in the State of Arkansas; with amendments (Rept. No. 1306). Referred to the House Calendar.

# REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SMITH: Committee on the Public Lands. H. R. 919. A bill for the relief of Frank Norton; without amendment (Rept. No. 1304). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 10347. A bill for the relief of Robert B. Sanford; with an amendment (Rept. No. 1307). Referred to the Committee of the Whole House.

# CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11835) granting an increase of pension to Bridget Kelly; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11993) granting a pension to Amelia A. Keith; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WILLIAMS of Michigan: A bill (H. R. 11997) creating a Federal cooperative marketing board to encourage and aid, upon application, in the formation of cooperative marketing associations, cooperative clearing-house associations, and terminal market associations handling agricultural products; to correlate the activities of such associations; to develop efficient and economical methods of distributing and marketing such products; to bring to the aid of such associations the resources of the departments of the Federal Government; and for other purposes; to the Committee on Agriculture.

By Mr. SNYDER: A bill (H. R. 11998) to amend the act of June 30, 1919, relating to per capita cost of Indian schools; to the Committee on Indian Affairs.

By Mr. LAZARO: A bill (H. R. 11999) to promote the production of sulphur upon the public domain; to the Committee on the Public Lands.

By Mr. STRONG of Kansas: A bill (H. R. 12000) to amend the agricultural credits act of 1923, approved March 4, 1923; to the Committee on Banking and Currency.

By Mr. REED of West Virginia: A bill (H. R. 12001) to provide for the elimination of Lamond grade crossings in the District of Columbia, and for the extension of Van Buren Street; to the Committee on the District of Columbia.

By Mr. KELLER: A bill (H. R. 12002) to establish a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes; to the Committee on the District of Columbia.

By Mr. THOMAS of Oklahoma: A bill (H. R. 12003) authorizing the Secretary of the Interior to issue patent to the city of Lawton to certain lands in the Mount Scott subagency; to the Committee on the Public Lands.

By Mr. WILSON of Louisiana: A bill (H. R. 12004) authorizing an investigation, examination, and survey for the control of excess flood waters of the Mississippi River below Red River Landing in Louisiana and on the Atchafalaya outlet by the construction and maintenance of controlled and regulated spillway or spillways, and for other purposes; to the Committee on Flood Control.

By Mr. WILLIAMSON: A bill (H. R. 12005) authorizing an appropriation for the payment of certain claims due certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses; to the Committee on Indian Affairs.

By Mr. HAUGEN: Joint resolution (H. J. Res. 335) to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge"; to the Committee on Agriculture.

By Mr. TEMPLE: Joint resolution (H. J. Res. 336) to provide for the expenses of delegates of the United States to the Pan American Congress of Highways; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 337) providing for an immigration and naturalization commission, and for other purposes; to the Committee on Rules.

By Mr. FISH: Resolution (H. Res. 419) authorizing payment out of the contingent fund of the House of the expenses of the select committee to investigate the National Disabled Soldiers' League (Inc.); to the Committee on Accounts.

Also, resolution (H. Res. 420) establishing a permanent international court of justice at The Hague; to the Committee on Foreign Affairs.

By the SPEAKER (by request): Memorial of the Legislature of the State of Oregon, urging Congress to provide the funds to build a new hospital in Portland, Ore.; to the Committee on World War Veterans' Legislation.

By Mr. SMITH: Memorial of the Legislature of the State of Idaho, favoring the passage of Senate bill 2327, introduced by Hon. FRANK R. GOODING, Senator of the United States from the State of Idaho, now pending before the Committee on Interstate and Foreign Commerce; to the Committee on Interstate and Foreign Commerce.

# PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEERS: A bill (H. R. 12006) granting a pension to Myrtle Blanche Wicks; to the Committee on Invalid Pensions.



Also, a bill (H. R. 12007) granting an increase of pension to Nancy E. F. Baker; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 12008) for the relief of Ester I. Fismer; to the Committee on Claims.

By Mr. DICKINSON of Iowa: A bill (H. R. 12009) granting a pension to Caroline Thie; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 12010) granting an increase of pension to Mary Igert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12011) granting an increase of pension to Livona E. Miner; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 12012) granting an increase of pension to Anna M. Scofield; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 12013) granting an increase of pension to John Q. Adams; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 12014) granting a pension to Karl H. Lange; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 12015) granting an increase of pension to Charles H. Ferguson; to the Committee on Pensions.

Also, a bill (H. R. 12016) granting an increase of pension to Rebecca Richmond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12017) granting an increase of pension to Helen Vaughan; to the Committee on Invalid Pensions.

By Mr. SUMMERS of Washington: A bill (H. R. 12018) granting a relinquishing title to certain lands in the State of Washington to the American Board of Commissioners for Foreign Missions, and for other purposes; to the Committee on the Public Lands.

By Mr. UNDERWOOD: A bill (H. R. 12019) granting an increase of pension to Lavina Smith; to the Committee on Invalid Pensions.

By Mr. WARD of New York: A bill (H. R. 12020) for the relief of Lient. Col. Henry C. Davis; to the Committee on Naval Affairs.

By Mr. WATKINS: A bill (H. R. 12021) authorizing payment of reward due Frank M. Snow for the arrest of J. K. Giles, alias John C. Laird; to the Committee on Claims.

By Mr. WILLIAMSON: A bill (H. R. 12022) granting an increase of pension to Eliza J. Benedict; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12023) granting an increase of pension to Elizabeth J. Holliday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12024) granting an increase of pension to Marah A. Pinkerton; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3579. By the SPEAKER (by request): Petition of citizens of Michigan and Williams County, N. Dak., opposing compulsory Sunday legislation; to the Committee on the District of Columbia.

3580. Also (by request), petition of Park Manor Congregational Church, Chicago, Ill., indorsing the Capper-Hull measures (S. 2532 and H. R. 7038); to the Committee on Military Affairs.

3581. Also (by request), petition of Emilio Farisa, general organizer, United Brotherhood of Carpenters and Joiners of America, asking for an investigation of the economic, social, and industrial conditions in Porto Rico; to the Committee on Insular Affairs.

3582. By Mr. CONNERY: Petition of the Boston First Austrian-Hungarian Association, urging a revision of the Johnson Immigration bill to take care of stranded immigrants; to the Committee on Immigration and Naturalization.

3583. By Mr. CULLEN: Petition of New York Chapter, Military Order of the World War, indorsing the bill for the retirement of disabled emergency Army officers; to the Committee on World War Veterans' Legislation.

3584. By Mr. LaGUARDIA: Petition of New York Chapter, Military Order of the World War, urging the passage of legislation respecting the retirement of disabled emergency Army officers; to the Committee on World War Veterans' Legislation.

3585. By Mr. MOONEY: Petition of Cleveland Bar Association, indorsing House bills 7785 and 7786, for increase in salaries to all Federal judges; to the Committee on the Judiciary.

3586. By Mr. O'CONNELL of New York: Petition of the New York Chapter, Military Order of the World War, favoring House bill 6484 and Senate bill 33, for the retirement of dis-

abled emergency Army officers; to the Committee on Military Affairs.

3587. Also, petition of New York Chapter, Military Order of the World War, irrevocably against the consideration of any attempt to recognize the Soviet Russia until such time as the government may be established and shall give unmistakable proof that its activities conform in general to the ideals of the United States and its Constitution; to the Committee on Foreign Affairs.

3588. By Mr. RAKER: Petition of the Vallejo Chamber of Commerce, Vallejo, Calif., urging completion of the lower Sacramento River control works project; to the Committee on Appropriations.

3589. Also, petition of Blanche A. Bellak, national chairman Gold Star Department of the American War Mothers, Philadelphia, Pa., urging passage of House bill 9095, to incorporate the American War Mothers; to the Committee on the Judiciary.

3590. Also, petition of Thomas Donlan, San Francisco, Calif.; G. M. Wilson, San Francisco; Rose Brennan, San Francisco; Mary A. Burns, San Francisco; Mabel Murray, Oakland; Louise Heaney, San Francisco; Mrs. Daisy Reiel, San Francisco; Annie M. McEnaney, San Francisco; Blanche G. Fletcher, San Francisco; Mrs. J. Sims, San Francisco; Frances L. Bludson, San Francisco; James Moore, Oakland, Calif., all urging support and passage of the Shreve bill (H. R. 8352); to the Committee on the Civil Service.

3591. Also, petition of the Holmes Investment Co., San Francisco, Calif., and the West Hollywood Realty Board, Hollywood, Calif., protesting against the establishment of a rent commission in the District of Columbia; to the Committee on the District of Columbia.

3592. Also, petitions of Curt Teich & Co., of Chicago, Ill., and Pacific Novelty Co., of San Francisco, Calif., protesting against increased rates on souvenir post cards; to the Committee on the Post Office and Post Roads.

3593. Also, petitions of E. D. Wichels, of Vallejo, urging early consideration and passage of civil service retirement bill (S. 3011), and Katherine Goodwin, Mrs. M. Gimenes, and Mamie Logan, all of San Francisco, urging support of the Shreve bill (H. R. 8352); to the Committee on the Civil Service.

3594. By Mr. ROBINSON of Iowa: Petition of Dubuque Chapter of the Reserve Officers' Association of the United States, approving Senate bill 2532 and House bill 7036; to the Committee on Military Affairs.

3595. Also, petition of Fairbank Tourist Club, favoring entrance of the United States in the World Court of International Justice on the basis of the Harding-Hughes reservations; to the Committee on Foreign Affairs.

3596. By Mr. SEGER: Petition of the Board of Commerce and Navigation of New Jersey, approving the rivers and harbors bill and urging its speedy enactment into law; to the Committee on Rivers and Harbors.

3597. By Mr. SITES: Petition of the general executive committee of the Woman's Foreign Missionary Society of the Methodist Episcopal Church in annual meeting, October 29, 1924, requesting a reconsideration of the Japanese exclusion section in the immigration act of 1924, with a view to elimination of race discrimination and to reestablishment of the bonds of friendship that will make possible cooperation in works of peace throughout the world; to the Committee on Immigration and Naturalization.

#### SENATE

THURSDAY, January 29, 1925

(Legislative day of Monday, January 26, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, one of its clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 11956. An act to amend the act entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1909" approved February 9, 1909; and

H. J. Res. 60. Joint resolution authorizing the improvement of the system of overland communications on the Seward Peninsula, Alaska.